

HOUSE OF REPRESENTATIVES—Wednesday, February 5, 1992

The House met at 1 p.m. and was called to order by the Speaker pro tempore [Mr. HOYER].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker.

WASHINGTON, DC,
February 5, 1992.

I hereby designate the Honorable STENY H. HOYER to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Enlighten us, O loving God, in ways that lift our hearts above any self-interest and give us renewed zeal to celebrate the gift of new life and the promise of a new day. Bind our broken world with the spirit of reconciliation and endow the homes of the land with hope for tomorrow and inspiration for today. Strengthen those who grow in the bond of love and who are nurtured in grace that they will be righteous in all things and their names will be known in the book of life. This is our earnest prayer. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia [Mr. DARDEN] to lead the House in the Pledge of Allegiance.

Mr. DARDEN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate has passed with amendment a bill of the House of the following title:

H.R. 4095. An act to increase the number of weeks for which benefits are payable under the Emergency Unemployment Compensation Act of 1991, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested.

S. 2184. An act to establish the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, and for other purposes.

INTRODUCTION OF THE AMERICAN DREAM ASSISTANCE ACT OF 1992

(Mr. DARDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DARDEN. Mr. Speaker, America's young people are hurting. Raised in times of economic prosperity, they have high hopes for a bright future: A satisfying job, a couple of kids, and a home of their own. After all, that's how their parents lived.

Unfortunately, for most young Americans, the dream of owning a home or starting a business is fading into the past, and, if present trends continue, might soon be just a distant memory of happier times.

The 1980's saw a dramatic decrease in the number of young families able to buy their own homes. Homeownership rates for households headed by those in their twenties fell from 43 percent in 1980 to 34 percent in 1990. While 61 percent of those age 30 to 34 owned homes in 1980, only 52 percent of that age group had homes of their own in 1990. If a home is one's castle, most young Americans have found the drawbridge closed and the moat too wide to cross.

America's parents are also suffering. We expect to see our children establish their independence, make their way in the world. And we are being deprived of this joy by a tax system that penalizes our efforts to assist our children.

That is why I am introducing the American Dream Assistance Act of 1992. This bill would assist young people and the parents trying to help them in two ways. First, this bill would allow parents to withdraw funds penalty-free from their own IRA's to help their children buy a first home. The bill would also allow those young people who have accumulated funds in their own IRA's to withdraw their IRA funds penalty-free for a first-time home purchase.

Second, the bill would overturn a ruling recently issued by the Internal Revenue Service that could subject

parents to the gift tax simply for guaranteeing a loan taken out by their children. This recent IRS private letter ruling, No. 9113009, held in part that a parent's unsecured personal guarantee of a child's loan was a gift at the time of the guarantee, and therefore subject to the gift tax. This ruling therefore jeopardizes the financial security of parents who guarantee loans to children hoping to start their own business, buy their own house, or finance a college education. Because I believe that this ruling may be detrimental not only to families, but also to small businesses and the housing market, I have also called upon Ms. Shirley D. Peterson, Commissioner of the IRS, to withdraw this ruling immediately.

I am introducing this bill because I believe that one of America's great strengths, and strongholds, is the American family. I know that families will want to work together to ride out these tough economic times. And, Mr. Speaker, I believe that the law should not stand in the way of one generation helping the next to realize the American dream.

BIG-SPENDING LIBERALS ASK FOR NEW SPENDING

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, the big-spending liberals in Congress just don't get it.

Less than 2 years after the liberal leadership of Congress rammed through the biggest tax increase in American history, extending the longest recession in history, they are now back at the public trough for more.

I quote from a recent Washington Post article entitled "Congressional Liberals Press for Spending To Remedy Recession." The article says, "Liberal Democrats are convinced the Government must spend its way out of the recession."

Mr. Speaker, liberals on the other side of the aisle just never get it. The last time the Democrats occupied the White House, their tax and spend policies created the worst recession since the Great Depression. Let us not forget the incredibly high inflation of 12.5 percent, the equally high 21.5 percent prime interest rates, the 9-percent decrease in real wages during 1979 to 1981 and finally the stagflation created by the last Democrat administration with the help of the Democrat-controlled Congress.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

No, Mr. Speaker, we do not need more government bureaucracy created by the liberals in Congress. We need to adopt the Republican growth package which will create millions of jobs, and we need to adopt that growth package immediately. The President's March 20 deadline is a good target date. That's only 44 days from now. Let us pass a good Republican jobs creation bill right now.

THE PRESIDENT SHOULD PAY HIS TAXES

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the President says he does not live in the White House officially. The President also says he does not live in Kennebunkport officially. The President says that he officially makes his residence in a hotel room in Houston, TX. That is right. The old Houston hotel room ploy.

But let me say this. Let us look at that, Mr. Speaker. He saves \$25,000 a year because there is no State income tax in Texas.

Now, it is no wonder America is bankrupt, when you have such big tax loopholes you could drive the President through them.

We have gone from reading his lips, reading his hips, reading the want ads, dialing 911, and now I think it is time to send him a message from the people of Maine. Read their lips. Pay your taxes, too.

Mr. Speaker, I yield back the balance of my time.

IN SUPPORT OF REPEAL OF SOCIAL SECURITY EARNINGS TEST

(Mr. ZIMMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZIMMER. Mr. Speaker, I rise to express my support for the repeal of the Social Security earnings test.

Repealing the test is regarded by many on the other side of the aisle as a boon to the rich. In fact, the earnings test discriminates against those senior citizens who must work to supplement their benefits. Other forms of income like pensions or private savings plans are not counted when calculating Social Security benefits. People who rely on them to supplement their Social Security checks can still receive full benefits.

People who were not in a position to provide for their old age or are not fortunate enough to receive an adequate pension should not be penalized for exceeding an arbitrary income level while trying to maintain a decent standard of living.

When senior citizens earn above the limit, \$1 out of every \$3 of their usual

benefit check is withheld. This is in effect a 33-percent tax on their income that someone who lives off investments does not have to pay.

Mr. Speaker, I urge my colleagues to join me in support of the repeal of the earnings test.

THE PRESIDENT NEEDS TO LISTEN

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, the President does not understand the pain this country is in or the plight of the working middle class. He is out of touch with the needs of the people he governs.

I do not believe he does not care, but if he does not listen he cannot understand.

A month ago, in the face of massive layoffs and unemployment, he repeatedly denied that there was a recession; then in New Hampshire he apologized for handling the economy badly and said he would produce a plan; but the proposal he offered last week contained nothing for the middle class, suggested substantial cuts in Medicare, and demanded tax breaks for the wealthy.

This President has been out of touch too long. Yesterday he stood amazed by a grocery checkout counter that reads bar codes and registers the price automatically. That is something that all of us average Americans got used to long ago.

Every week I am in grocery stores talking to people about the economy. They are worried about how to make ends meet. Their concern is not that groceries are easy to check out, but that they are hard to pay for—or they cannot pay for at all.

The President should listen to the people. They want some relief. They need a tax cut to help them pay their bills. They need an economic recovery program that provides them with jobs. And they need a President who will listen.

TAKE TAX OFF UNEMPLOYMENT BENEFITS

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, the other night in the text of the State of the Union Message, the President thanked those in uniform for what they had done to bring about the peace. He also made reference to those who were the taxpayers, who paid for all these things that we have built and built well.

Unfortunately, in the text of the State of the Union and in the budget the following day, there was no men-

tion of those people who built these weapons and did such a good job. I think these are people that we have to think about today.

We welcome the peace. We welcome that we no longer have the Soviet Union, but we have to pay attention with sophisticated job programs.

□ 1310

We have to pay attention to the research and development for new products that we can sell around the world.

Mr. Speaker, I have a suggestion that I think we could do very quickly; and that is, take the tax off of unemployment benefits. These people who have all of a sudden had their lives thrown into turmoil need every penny to keep going. I would suggest we no longer tax unemployment benefits. It seems ridiculous, if you are trying to keep going, to have to pay taxes on these benefits.

GEORGE BUSH'S EXPOSURE TO THE REAL WORLD

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, last week, the President expressed his surprise that a major cause of our cities' problems is the dissolution of the family. This week, he was surprised at how grocery stores work. His amazement at grocery checkout technology, which is at least 10 years old, is astonishing. I look forward to the next installment in George Bush's exposure to the real world. There are many other lessons he missed about life over the past 10 years, including the impact of the Reagan-Bush economic policies on the middle class and the poor.

A while ago, the President said he would do anything to get reelected. For many people, that sounds like a call for extreme measures. For George Bush, it translates into dabbling in the world of the unknown that would be daily experiences of working Americans.

This man needs to live in reality, not to attempt occasional forays into it to try to boost his reelection chances. His attempts only highlight how out of touch he really is.

How are we supposed to believe in an economic proposal from a man who has not been to the grocery store and whose early solution to the economic problem in New Hampshire was to buy socks?

RUSSIANS FACE SERIOUS FAMINE WHILE FOOD CONTINUES TO BE STOCKPILED

(Ms. LONG asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LONG. Mr. Speaker, I rise to express my concerns about recent reports

which describe the sorry state of our Government's effort to ship emergency food to the Russian people. According to reports, the United States has yet to actually deliver any portion of the administration's \$165 million food package. The food continues to be stockpiled—some of it rotting—in our Nation's ports. Meanwhile, millions of Russians face the serious threat of famine. In fact, a recent economic forecast predicts that basic food supplies will begin to disappear within the next 3 weeks. I believe it is critical that these delays in the delivery of agricultural commodities come to an end.

The United States has poured trillions of taxpayer dollars over the last 45 years into defending the United States from a Soviet attack. Now we have a unique opportunity to use United States food surpluses that will help American farmers and also help to democratize the former Soviet Republics. Mr. Speaker, I call upon the administration to take immediate action and get this food delivered as soon as possible.

SOLUTION TO THE ECONOMY: MOVE PRIMARY DATES TO FEBRUARY 29

(Mr. GEJDENSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEJDENSON. Mr. Speaker, I have the solution to the economy: We should all move our primary dates to February 29. In that way we could get the administration to pay attention to the plight of the workers in each of our States. It seems New Hampshire, which has the first primary, has been the beneficiary of a number of Federal programs, infusions of funds and new programs that the administration has initiated.

In Connecticut, where the President has no plan, where the President's program has already created the announcement of as many as 4,000 layoffs from one company alone, we seem to be abandoned.

The solution is clear: I am going to call my State legislators, my speaker at the statehouse and the President pro tem of the Senate and ask them to move the Connecticut primary date to February 29, and maybe we can get the President to pay attention to the workers who are out on the street without jobs in my State as well.

JUNE 1, 1992, KENTUCKY BICENTENNIAL DAY

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, on June 1, 1792, President George Washington signed the Proclamation admitting my

home State of Kentucky as the 15th State of the Union.

Mr. Speaker, the dean of the Kentucky delegation, the gentleman from Kentucky [Mr. NATCHER] has introduced House Joint Resolution 121, which designates June 1, 1992, as Kentucky Bicentennial Day.

Mr. Speaker, I urge all of our colleagues to sign Mr. NATCHER's resolution.

Mr. Speaker, Kentucky's reputation, my home State's reputation, needs no burnishing. We are the home of arguably the greatest President in the history of this Republic, Abraham Lincoln; also the 12th President, Zachary Taylor; several vice presidents, including Alban Barkley; and as we know very well, between the University of Louisville and the University of Kentucky, we are the repository of seven NCAA championships in basketball.

My hometown of Louisville is home of the "Greatest Two Minutes in Sports," the running of the Kentucky Derby every first Saturday in May.

Mr. Speaker, let me just say Kentucky is a beautiful State, a scenic State, a very friendly State. As we say back home, "Y'all come and visit Kentucky." But, before y'all come to visit, sign Mr. NATCHER's resolution.

HOUSE LEADERSHIP SHOULD ORDER FULL-SCALE INVESTIGATION OF HOUSE POST OFFICE

(Mr. LEWIS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Speaker, this is to put the House on notice: It is my intention later today in the debate to rise to a question of privilege of the House.

I will be requesting within the House that we have a full-scale debate on my resolution, which would create an independent, bipartisan committee, to review some of the problems that currently are casting a shadow upon this institution.

Specifically, it would call for a balanced, bipartisan committee that will, first, have the responsibility to investigate those questions that are currently being raised about the House post office, questions such as the theft of post office moneys and/or property by post office employees; the use and distribution of illegal drugs by House post office employees; the coverup of improper or illegal conduct by post office employees by their supervisors or by their superiors.

Mr. Speaker, it is not my intention to make this a partisan harangue, but rather provide the House an opportunity for a full-scale discussion of this matter.

Mr. Speaker, the House deserves no less.

TEXAS FARM AND RANCH AWARD HONOREES

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, I had the pleasure of participating in the presentation of the third annual Fort Worth Star-Telegram Farm and Ranch Awards on January 10. These awards recognize some of Texas' most skilled producers and marketers of food, fiber, and timber.

More than 1,100 people were nominated by other farmers and ranchers, the Texas Agricultural Extension Service, Texas Tech University, Texas A&M University, the Texas Agricultural Experiment Station, agribusinesses, the Texas Parks and Wildlife Department, the Texas Department of Agriculture, and others. The Star-Telegram selects the honorees based on production, management, and marketing criteria and relies on the advice of hundreds of agricultural experts.

As Worth Wren, Jr., the farm writer for the Star-Telegram, pointed out in the introduction to a series of articles on the honorees:

Texas farmers and ranchers may have been drawn to the countryside for its peaceful beauty, cleaner air and fresh aroma of newly-plowed earth. But their economic survival and prosperity have required intense management and a willingness to adopt proven technology, adapt tools and methods to their own land and climate and retain the best practices of the past.

The 26 honorees this year were:

Peaches: McKinney's Sandyland Farms—Gary, Sue, and Andrew McKinney and family of Mexia.

Citrus: Jimmie and Barbara Steidinger of Donna.

Ranch management: Lazy P Ranch—Matthew and Evelyn Johnson and family and the G.L. Potter Ranch owners of Crockett.

Melons: Andrew and Sue Acuna and family of Montague.

Hay: Kelly and Judy Moore and family of Vernon.

Fish: Redfish Unlimited—David Maus, Roy O'Connor, and families of Palacios.

Rice: Garrett Farms—Jacko and Nancy Garrett and family and staff of Danbury.

Cotton: Weldon and Ann Rodgers and family of Paducah.

Horticulture/nursery: Womack's Nursery Co.—Larry Don, Lajoice, and Larry Jim Womack and families and staff of De Leon.

Soybeans: Carl and Cathy Weets and family of Cooper.

Dairy farming: Eugene, Jeanine, Danny, Michael, and Jeffrey Norwood and family of Star.

Vegetables: Smith Potato Inc.—Harold, Faye, David, Patricia, Danny, and Becky Smith, and Patricia and Randy Vines and families of Hart.

Peanuts: Wade Pennington & Sons—Wade, Arvay, Troy, Glynn, and Stanley Pennington of Grapeland.

Poultry: Ideal Poultry Breeding Farms—Monroe and Gary Fuchs, Janet Crouch and families of Cameron.

Sheep/goats: Herman and Judy Moore and family of Brownwood.

Pecans: Arthur, Debbie, Harold, and Dorothy Ivey and families of Tornillo.

Beef cattle: Mayfair Ranches—Jim, Clay, and Shannon Theeck and families and Ida Jo Moran of Brenham.

Horses: Diamond B. Ranch, Inc.—Jack and Susan Brainard and staff of Aubrey.

Timber: Keystone-Garrett Properties—Robert L. and Betty Cargill, staff, forester and owners.

Alligator/crawfish: Amos and Dora Roy of Mauriceville.

Sugar cane: Arthur E. Beckwith, Benton Beckwith, and families of Progreso.

Wheat: Kenneth and Pam Keisling and family of Dumas.

Wildlife management: Slaton Ranch—Debbie and Bart Gillan and family of Llano.

Feed grains: Billy Bob, Elaine, Porter, Laura, Kevin, and Crystal Brown and families of Panhandle.

Berries: Rocky Branch Farms—Jim and Sally Walston, John and Barbara Robinson of Mexia.

Hogs: Charles, Jeanette, David, and Cindy Graf and families of Vernon.

HOUSE POST OFFICE SCANDAL IS ERODING EFFECTIVENESS OF THIS LEGISLATIVE BODY

(Mr. RIGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIGGS. Mr. Speaker, I guess it is appropriate that I follow, I suppose, the last gentleman on our side of the aisle, the gentleman from California [Mr. LEWIS] as the conference chairman because I have reason to believe that it appears that the House Post Office affair goes far beyond the rather sensational accounts in the press of theft, embezzlement, fraud, and drug dealing.

Mr. Speaker, I believe that a thorough and independent investigation would show that far more was known about these activities by the House Democratic leadership than has been publicly disclosed to date.

Even what has been presently revealed shows this is not merely a case of a few errant employees helping themselves to the company's cash.

First, there are sworn statements that Congressmen and House employees cashed checks improperly at the post office. Does your local post office cash your check?

Does this not smell of complicity?

Now there are published reports that the Postal Service internal audit was given to the Speaker's office last Sep-

tember. Given this was the time of the House bank scandal, would it not make sense for a scandal-sensitized leadership in this body to order a House probe?

Instead, we learn that the House leadership did not begin to look into this matter until just this month.

Mr. Speaker, I call on you to commence an independent investigation without further delay because public confidence in this institution is eroding with every passing day.

AMERICANS ARE AMONG THE HARDEST WORKING PEOPLE IN THE WORLD

(Mr. MCCLOSKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCCLOSKEY. Mr. Speaker, Japanese Prime Minister Miyazawa's plane had hardly hit the runway returning from the United States before he was glibly bashing American workers as we all know, as lacking a work ethic.

It is obvious his visit did not include the industrial heartland where he could have met thousands of skilled workers who are forced to toil at multiple jobs for very low wages. This is partially because of our administrations' constant acquiescence to Japanese imperial trade policies.

Is he going to tell us that these Americans are lazy?

Is he going to tell us that 600 Americans showing up for a part-time Walmart job with no benefits are not interested in working?

□ 1320

Mr. Speaker, a recent first-rate treatment of this trend is "The Overworked American: The Unexpected Decline of Leisure," by Juliet B. Schor. Ms. Schor points out that a number of families having to rely on two incomes or more to support their families has increased. The length of the average workweek is increasing, and the length of vacation time is decreasing.

No doubt such observations are not important to one Japanese leader after another making anti-American and racist comments.

EXPORTING AMERICAN PRODUCTS: THE CATERPILLAR SUCCESS

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, there is much gloom and doom reported about America's ability to compete in the world market.

But Caterpillar, Inc., with headquarters in my hometown of Peoria, is proving that American workers can compete and succeed in exporting quality products.

In 1991, Cat exports reached a near record \$3.71 billion.

Those exports accounted for 19,500 jobs in the United States and an additional 39,000 jobs at Cat's U.S. suppliers.

Fifty percent of the company's total U.S. production went to exports.

Mr. Speaker, this is proof Americans can do well in the export market.

A good product, sound workmanship, imaginative leadership—these are the qualities that build jobs, sell products, and demonstrate American know-how.

I salute Cat's workers and management.

They are reminding all of us that when we put our minds and hearts to it, there's nobody in the world who can produce and export better products than Americans.

OUR LEADERS NEED TO BE EXPOSED TO REAL LIFE

(Mr. LEVIN of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVIN of Michigan. Mr. Speaker, there is a serious lesson in the President's visit to a supermarket yesterday when he saw something that was new which amazed him, an electric grocery scanner.

Mr. Speaker, the President is out of touch with American families because he does not touch them in their daily lives. The President's economic policies are out of line because he never goes into a line, at the grocery store, for a job opening, or an unemployment office.

Several weeks ago, the Vice President showed the same distance from problems of the typical American family after he saw a help wanted sign for part-time workers at a fast food restaurant. He acted as if he had found the answer to the recession.

Mr. Speaker, what this Nation needs from all of its leaders, including the President and the Vice President, are fewer photo opportunities and more exposure to real family life in America.

TWO WAYS TO GET THE ECONOMY GOING

(Mr. SCHUMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, yesterday the President visited a supermarket, and according to today's papers he was amazed at such commonplace things as visual scanners and modern checkout counters. Well, the President's supermarket visit was reminiscent of Marie Antoinette's comment to the cry of the French peasants when she said, "Let them eat cake." She was out of touch in the 1790's, and he is out of touch in the 1990's.

Mr. Speaker, this is the same President whose idea of how to jumpstart the American economy was to go to J.C. Penney and buy tube socks.

The bottom line is, my colleagues, that none of these quick kinds of gimmicks that are proposed in the President's budget or that are floating around the Hill will get the economy going. Ideas such as capital gains cuts, paltry tax cuts that do little for middle-income people. IRA's, will not get the economy going. We have to seriously look at our problems and: First, create a real jobs program so that people will have jobs when they need them; and, second, rechannel our money into savings and investment rather than into spending and consumption.

WHY I AM ANGRY ABOUT WHAT THE JAPANESE SAY ABOUT AMERICAN WORKERS

(Mr. APPELEGATE asked and was given permission to address the House for 1 minute.)

Mr. APPELEGATE. Mr. Speaker, I do not like to rehash these things, but, as my colleagues know, when I keep reading about what the Japanese say about American workers being lazy, and illiterate, and lacking the work ethic, I get angry. I get very angry.

However, Mr. Speaker, when Japan's Middle East oil supply was threatened, who liberated Kuwait? Whose technology and military equipment was used? Whose courage and guts were there? And what about the 300 young Americans who died? Were they illiterate, and were they lazy?

Mr. Speaker, America was there, but not Japan, and I say to my colleagues, that's right, folks. Just remember that Japan's reliance on Kuwait oil was a large part of why America was in Kuwait in the first place. The United States gets no oil from Kuwait, and yet they have the guts to kick Americans in the teeth.

Mr. Speaker, I say, "To hell with them. It's time that we rethink America's trade policy with Japan."

AMERICANS WANT PEACE OF MIND WHEN IT COMES TO HEALTH CARE

(Mr. GLICKMAN asked and was given permission to address the House for 1 minute.)

Mr. GLICKMAN. Mr. Speaker, tomorrow the President sends down his report on what we need to do about health care. Many of us had townhall meetings about the issue. I do not know what is in the President's recommendations, but I can tell my colleagues what I think most Americans want with respect to any health care package.

Mr. Speaker, it is peace of mind, peace of mind knowing that they and

their families will not be wiped out by a catastrophic illness. Peace of mind knowing that their children and their spouses will have access to preventative health care. Peace of mind knowing that their parents and their seniors will have access to long-term care. Peace of mind knowing that we can get a handle on the crazy spiralling costs of health care from doctors, hospitals, and drug companies. Peace of mind knowing that we can get a handle on the incredible administrative costs and bureaucratic wastes in the administration of health care programs in this country. Peace of mind knowing that, when they move from job to job, that they will not lose their health care as a result of their desire to change professions. Peace of mind knowing that, if they have a preexisting illness, diabetes, cancer, or heart disease, that they will not lose their access to health insurance.

Mr. Speaker, if these aspects are not in the President's proposal, it is incumbent on us in Congress to pass health care legislation that provides that peace of mind.

CONVERT THE MILITARY COMPLEX AND PUT AMERICANS TO WORK AGAIN

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Yesterday, Mr. Speaker, I am very pleased that the House showed that they finally followed the Democratic compassion and passed extended benefits for people unemployed. Now today I hope we will roll up our shirt sleeves and get on with Democratic creativity in dealing with how we convert this economy.

President Eisenhower, we did not listen to him. What a shame. We have become a military-industrial complex. What we have to do now is figure out how we take those skills and change them into the things that will make us competitive into the next century.

American workers, yes, while they are unemployed, need unemployment benefits/insurance, but what they really want is jobs. People want America to be put to work again.

We know what we need. We need the best education system, we need the highest infrastructure help that we can get, we need flexible capital markets, and we need creative—and new—innovative technology.

Mr. Speaker, we have got that, but only on the military side. Let us convert it to things the world needs, and we will have jobs.

PRIVILEGES OF THE HOUSE—DIRECTING THE COMMITTEE ON HOUSE ADMINISTRATION TO INVESTIGATE THE OPERATION AND MANAGEMENT OF THE OFFICE OF THE POSTMASTER

Mr. GEPHARDT. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a privileged resolution and ask for its immediate consideration.

The SPEAKER pro tempore (Mr. HOYER). The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 340

Whereas recent press accounts have recited allegations involving the Office of the Postmaster: Now, therefore, be it

Resolved, That the Committee on House Administration shall conduct a thorough investigation of the operation and management of the Office of the Postmaster and report its findings and recommendations back to the House as soon as may be practicable, but in no event later than May 30, 1992.

The SPEAKER pro tempore. The resolution states a question of privilege.

The gentleman from Missouri [Mr. GEPHARDT] is recognized for 1 hour.

Mr. GEPHARDT. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. LEWIS], pending which I yield myself such time as I may consume.

Mr. Speaker, I think all of us have been made aware in various ways of the charges, and allegations, and difficulties with regard to the post office, the post office operation here in the House. The gentleman from North Carolina [Mr. ROSE] is chairman of the Committee on House Administration and has begun a thorough review of all House services, including the services of the House post office.

□ 1330

He has a demonstrated ability, in my view, to work in a bipartisan manner on the difficult issues facing the House with regard to the House post office. The gentleman from North Carolina [Mr. ROSE] and the gentleman from California [Mr. THOMAS] at their own initiative have reviewed the operations of the Sergeant at Arms, the House restaurant system, and recycling in the House of Representatives, and they have worked together to implement a system of mail accountability with respect to the frank.

In past days they have worked with diligence to deal with the allegations that have been made with regard to the post office operations. Let me finally say, before I yield to the distinguished chairman of the committee, that all of us I think have reacted with outrage at some of the charges that have been made, if they are true. At this point we do not know the truth or the falsity of different charges that have been made, but there is no place in this House or in

any part of this House for the kind of activities that have been alleged. It has to be changed and it has to be changed rapidly if these things are true.

There is no place in this institution for that kind of behavior, and there is no Member here, I think, that wants to allow that kind of behavior to continue. I have the fullest confidence and faith in the committee that has been given this responsibility in our House, the Committee on House Administration, to find out the truth or falsity of these charges, to get to the bottom of them, to find the wrongdoing, if there is wrongdoing, and to change the personnel if personnel need to be changed, and to establish rules for the future that will make absolutely sure that wrongdoing is not permitted.

I yield such time as he may consume to the distinguished gentleman from North Carolina [Mr. ROSE], who is doing such an outstanding job with this committee.

Mr. ROSE. Mr. Speaker, I appreciate the kind words that the majority leader has said about me and about the Committee on House Administration.

I would like to comment on the resolution that is before us and say that the Committee on House Administration is ready to investigate the operation and the management of the office of postmaster in a thorough and a bipartisan way. It would probably be helpful for the Members of the House to know a little bit about the actions that have already been taken with respect to the post office in the Congress.

The postal inspectors from the U.S. Postal Service have already done extensive investigations, made a report with recommendations that we will see are followed in the post office. The Justice Department has its own investigation of criminal activities that are alleged to have been allowed or to have been carried on in the post office. That investigation is well underway.

What this resolution seeks to do, and I support its objective, is to empower the Committee on House Administration with the specific statement in this body that we should conduct a review of the current management of the post office, make recommendations for the future, and where wrongdoing is encountered, either turn it over to the Justice Department or turn it over to the Ethics Committee, whichever in that situation might be appropriate.

My intention is that if this resolution passes, that the gentleman from California [Mr. THOMAS] and I, and those Members on the other side of the aisle who know BILL THOMAS know his participation in any event requires full participation, equal participation, the gentleman and I would equally conduct an investigation of the current management practices and make recommendations for the future of the post office in the Capitol.

Mr. Speaker, I do not think I need to say much more. I would be happy to

answer any questions that are put to me about this subject.

The gentleman from Kansas [Mr. ROBERTS] is the ranking member on the Subcommittee on Personnel and Police, and the gentlewoman from Ohio, MARY ROSE OAKAR, is the chair of that committee. Mr. THOMAS and I will each put together an equal number, and we are not going to balance this off with the ratios, we are going to have an equal number of Democrats and Republicans on the Committee on House Administration looking at the facts and helping develop the final conclusions that we will print in the appropriate form and at the appropriate time.

Mr. Speaker, I thank the majority leader for this resolution. I believe that we can handle this within the structure that we have in place in the House right now. I would urge my colleagues to please give us that opportunity.

Mr. LEWIS of California. Mr. Speaker, it was with a sense of very deep sadness and no small amount of outrage that I rise today to discuss this resolution and later hopefully to discuss a resolution that I will offer myself. I must tell you that it was no small moment of embarrassment for my chairman, the gentleman from California [Mr. FAZIO] and myself to be in our Subcommittee on Appropriations that deals with the legislative branch recently and to have this issue really come to the forefront for the first time. The Postmaster presented to us a report that had to be the result of months of work, and yet none of us responsible for appropriating those funds to the post office had even been informed of the problem. So it is with great regret, with a great deal of disgust, that I rise today to talk about the need for us to go forward with a comprehensive investigation.

I would refer the Members to a series of problems that have cast a shadow upon this institution, the House of Representatives, the indeed raise serious questions about the way the House itself is being run. I refer to the February surprise, allegations of gross mismanagement and misconduct in the House post office.

This is just the latest in a series of tragic episodes. First there was the September surprise, during which we learned of the House bank and restaurant abuses, of Members writing bad checks, of Members not paying their restaurant bills, of general mismanagement and special favors for a special few.

Then, just last month, we had the January surprise, at which time we learned of the installation of \$20,000 marble floors in House elevators.

Mr. Speaker, it boggles the mind that in the face of such flagrant examples of its own mismanagement the ruling party is actually considering the expenditure of unlimited sums of tax-

payers' money to investigate today an allegation which has never been supported by any credible evidence, involves an issue more than a decade old, and has no relevance to the present-day concerns of the American people.

It boggles my mind as well that today, in this resolution, which essentially is a substitute for mine, we are suggesting that we would send this very problem back to the very committee that has had jurisdiction in terms of authority in the first place.

□ 1340

In contrast, the resolution I would offer addresses an issue which is current, involves numerous credible allegations of wrongdoing, and strikes at the very heart of the public's trust in their elected officials.

The basic intent of my resolution is to establish a select committee to investigate the allegations concerning the House post office with respect to the following:

First, the theft of post office moneys and/or property by post office employees;

Second, the use or distribution of illegal drugs by post office employees;

Third, the coverup of improper or illegal conduct of post office employees by their supervisors or their superiors;

Fourth, conduct of Members of the House in their dealings with the post office;

Fifth, oversight of post office accounts and activities by existing House committees, including the Committee on House Administration, or entities responsible for that oversight;

Last, all matters relating directly or indirectly to this shadow that is being cast upon our institution.

When finished with its investigation, the select committee would make recommendations to the Speaker and minority leader regarding the implementation of an improved system of oversight to prevent the repetition of improper or illegal conduct it may find.

In the interest of fairness, the committee would include equal representation of the two parties, and the committee would take no action that would impede any criminal investigation or proceeding instituted by the U.S. Attorney General or other Federal agencies or entities.

Mr. Speaker, how can our constituents expect Congress to address the Nation's economic ills when tens of thousands of dollars may have been embezzled and stolen right here in the Capitol? How can they expect the Congress to deal with the drug epidemic if cocaine is, in fact, being sold right here in our own workplace?

How can we expect the public to take seriously our proposals to manage the expenditure of more than \$1 trillion of their money when we cannot even manage what goes on under the Capitol dome?

More than 100 years ago a former Member of this body, who later became the 16th President of the United States, told a visitor:

If you once forfeit the competence of your fellow citizens, you can never regain their respect and esteem.

Mr. Speaker, if we are not to forfeit the competence of our fellow citizens, we should work quickly to put this House in order, and put it in order by way of a fully bipartisan effort.

Mr. Speaker, I yield 5½ minutes to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, I rise in strong support of the motion creating a select committee and independent counsel to investigate major problems with the House post office. There is no question a thorough, unbiased investigation by this House is needed immediately. It must probe into areas not necessarily being covered by separate criminal investigations of drugs and theft at the post office.

Yesterday, I urged Members of the House to consider the seriousness of this matter, its impact, not only on our personal reputations, but also on the integrity and functioning of the House as a whole. An audit and interviews with employees of the post office last summer raised serious allegations that mismanagement at the facility reaches out to congressional staff and even Members. Let me repeat:

One employee charged that one House post office manager's office "had piles of money and stamps everywhere * * * there would be cash and stamps on the floor and [the official] was unconcerned."

The same employee stated that \$100,000 in cash was kept by this manager to cash checks by employees, nonemployees and even Congressmen. Said the employee being interviewed, "He cashed checks for Congressmen as if he had no other choice."

Numerous other employees corroborated the statements with further details about missing cash, bounced checks covered with post office funds, loans, and drugs.

One employee stated that a post office employee was "caught selling cocaine. [His] father was the lawyer for several people on the Hill and although he no longer works in the post office [he] works elsewhere in the House of Representatives."

Another employee stated she brought the drug dealing to the attention of the House Postmaster who "just turned his head the other way and nothing was done about the drugs."

Those statements should strike fear in the heart of every Member of this institution.

We must ask if they are true. If so, we must ask how those appalling situations were allowed to happen. We must ask who was involved. And we must ask what safeguards and procedures

must be implemented so that this situation does not arise again—ever.

It is my understanding that a criminal investigation is now underway concerning charges of embezzlement and drug trafficking. That investigation should proceed through auspices of the Justice Department with our full cooperation.

Today, however, we are talking about authorizing an investigation into areas that may or may not constitute criminal behavior and which may or may not interest the Justice Department. The points I have mentioned, while not necessarily the basis for criminal cases, have serious ramifications for the House of Representatives and for all of us individually.

We must ask if these charges are true. If so, we must ask how those appalling situations were allowed to happen. We must ask who was involved. And we must ask what safeguards and procedures must be implemented so that this situation does not arise again—ever.

We must ask those questions, Mr. Speaker, fairly, firmly, and with no bias as to the answer we get. Our sole objective should be to sort out the truth and fix what's broken in this instance. Longer term, of course, we should be looking at other agencies of the Congress to make sure all is in order.

I am concerned, as all of us in this House should be, that news reports dating back to last summer have hinted at efforts to minimize this problem.

Quite frankly, the investigation of wrongdoing at the post office was commenced in April 1991. By late summer, leadership of the House apparently was informed of the contents of that investigation.

Yet, as ranking member of the Personnel and Police Subcommittee of the House Administration Committee, I was never informed of this problem and first learned of it in press reports over a week ago.

Only after those press reports did the House Administration Committee commence looking at the problems—and I might add we learned of that through press reports also. The impression we have here is that nothing much was done about these serious management problems by House and committee leadership until news reports forced the matter into the headlines.

An independent investigation, supported by both sides of the political aisle, is the best way to get this mess behind us and to reassure both the House and our constituents that we are serious about cleaning up the way this body does business.

Yesterday, in an exchange on the House floor with my colleague, the distinguished chairman of the House Administration Committee, I promised my support for the committee in its review of management and procedures of

the post office and other House offices. I believe that is a good and proper role for the committee and will assist in every way possible through our subcommittee.

The gentleman from California [Mr. THOMAS] stated:

To get to the bottom of this problem an independent investigation, I support as proposed by Republican Minority Leader Bob Michel, is useful. But the long-term solution is to dump the partisan patronage system where "who you know" and not "what you can do" is the test. Instead, we should fill Post Office jobs through a professional system.

With all due respect, however, I submit that the House Administration Committee lacks both standing and expertise to conduct the kind of non-partisan investigation and airing this matter demands. House Administration is an administrative committee, not an investigative committee, and I urge my colleagues on that committee to join in welcoming an independent investigation of the problems.

I remind Members of the House that so far we have only allegations. An independent investigation can clear the record as well as verify misbehavior and mismanagement.

Only after we are confident we have all the facts and information can we begin working together to provide solutions and ensure that all officers of the House of Representatives operate in a manner that is above reproach.

I urge your approval of this important resolution and close with this statement:

Make no mistake. This is a serious situation and this is a serious attempt to resolve it. Our vote here today is the most important test of this Congress on whether each of us is serious and committed to reforming the way Congress does business.

Our restaurant problems, our bank problems are minor compared to the current situation. But they add up to a crisis of confidence for Congress.

Americans are demanding change. They will be watching this vote closely.

Mr. GEPHARDT. Mr. Speaker, I yield 3½ minutes to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, the frustration that I have when we engage in these kinds of debates is that, frankly, if Governor Roemer were here on the floor, he would assume that there was some partisan attempt to embarrass the House, and thereby have some political gain.

It was not but a short time ago that a staffer on the Hill was shot some six blocks from the Capitol. That staffer was shot not because of some terrible thing inside the House of Representatives or some failure in the administration's drug and crime policy, but a failure as a nation to deal with drugs and crime and the roots of where that crisis comes from.

□ 1350

We are not insulated from society. We are a part of society. The people that work here leave and return to ghettos and crisis, family structure, no day care, health care problems, and all the things that affect every other member of society.

To stand up here and to say there is some crisis in the House of Representatives because we found some problems here, we have got problems across this country. We have got drugs used in our schoolrooms, in our colleges, in every company across America. Do not think we are going to be insulated from problems here and do not try to make it some partisan battle.

The institution is a jewel on the globe. When we look at other countries and what they are going through trying to develop a democratic structure, this is the model that they come to.

Sometimes I get the sense that the other side believes if they can stain this institution sufficiently, they will miraculously come back as the majority.

If you want to have professional staff, start with your own staff, the people you hire. Do not hire them based on your own philosophy and your own needs. Why do you not start where you can start, on your own. Fire all your staff people and start a process where a nonpartisan board reviews your staff people and brings them in and hires them and gives them promotions.

The House of Representatives is by its nature a partisan institution. On substantive matters and on the operation of the House, each party tries to take care of its own needs.

But it seems to me we owe the people that elect us here something, and that is not to take the misfortune of a drug user in the post office and say that somehow that problem and others besmirch the House and its Members in its operations. Let us have a little sanity.

The process is going forward. Investigations are moving forward. The executive rung, run by the President of the United States, a Republican, has his people doing their part of the job. And we will do our part.

If at the end of this process, the gentleman from North Carolina [Mr. ROSE], my chairman, has not done his job, then you can come back here and tell us and show us where we failed. But it seems to me the regular order ought to be given its opportunity to proceed and not junket at every opportunity for partisan gain and an ad hoc solution in every instance.

Mr. LEWIS of California. Mr. Speaker, far be it from the gentleman to be partisan.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, we are told about bipartisanship on a day that

the majority has scheduled a resolution to come to the floor that is a purely partisan attempt to look at a campaign 10 years ago. It is a little hard to understand where the bipartisanship lies in that kind of instance, but in this particular case, the concern of the public that I talked to at home is that this institution has become corrupt to the core.

They see scandal after scandal emerging on Capitol Hill that seems to indicate both mismanagement and a conscious attempt to pervert the system. They want some action. They do not want business as usual.

They do not want this institution to simply internalize everything and pretend as though nothing is happening here which is wrong. The gentleman from Connecticut just told us a minute ago that this is all just a problem of society. No; it is not. It is a problem of this House.

Having a drug dealer in our post office is a violation of the drug-free workplace laws. It is a violation of the process of this Congress. It is something that needs to be corrected right here. It is not just a problem of society.

There are questions that have to be answered here, fundamental questions. For example, it has been said that the Committee on House Administration has known about this problem for months. The chairman of the committee just told us here a few minutes ago that one investigation has already been completed. That means that they have known about it for at least weeks and perhaps it is months. In fact, I am told that they may have known about it as early as last April, certainly last September.

Now, if they have known about it that long, why was there not an investigation before it became public in the press? The fact is, we are assigning it to a committee that already knew about this for months and has done nothing about it. When did the House counsel first learn about this mess in the post office? When did the Speaker's staff first know about this? When did the Speaker himself first know about this?

Were any efforts made along the way to enforce the drug-free workplace laws that this House is supposed to be obeying and the Speaker has written on?

I am not aware that there were any. Were the Capitol Police ever asked to put this case aside by anyone? We ought to adopt the Lewis approach, not the House approach.

Mr. GEPHARDT. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Speaker, I thank the Majority Leader for yielding time to me.

I want to begin by indicating that I share the frustration, indeed the anger that a number of other Members feel,

including the gentleman from California [Mr. LEWIS], my colleague, about the fact that some of us with important oversight responsibilities were not aware of the degree to which this problem had occurred in the House post office.

But I cannot share the solution that my friend offers because I think it really is an attempt to heighten awareness and public concern around this Nation about this institution when, in fact, we are sufficiently concerned and aware of this problem and willing to deal with it quickly, fairly, in a bipartisan manner ourselves.

I took note of the comments of the gentleman from North Carolina [Mr. ROSE], when he said a minute ago that he would conduct this investigation not as a chairman with a Democratic majority but as a member of a bipartisan panel, equally constituted by Republicans and Democratic members of his committee.

This is the kind of bipartisanship that we showed when we passed the Ethics Reform laws affecting all three branches of government here 2 years ago. It is the kind of approach we need to take on this issue as well because this Committee on House Administration, this oversight committee has a responsibility that it ought to exercise.

I noted that the gentleman from Kansas [Mr. ROBERTS], my friend, indicated that he, as a member of that committee, felt responsibility for what has happened in the post office. And I applaud him for taking that responsibility. I think what he and the gentleman from North Carolina, Chairman ROSE, agreed to do yesterday is furthered by the resolution offered by the majority leader today.

It is time for the information to come out. It is time for people in this institution to consider, as apparently the gentleman from California, Congressman THOMAS, has said, that we look at the manner in which we constitute these important offices and administrative posts. We do need to make fundamental change, I think, as a result of the work that the gentleman from North Carolina [Mr. ROSE] and his colleagues on the committee will be performing. We do have to be willing to examine ourselves and whether or not the patronage system has a place in this institution in the future. But we do not need to go out and create a wholly new committee of Members who are not continuing in their responsibilities for the way we administer and operate this House.

That is simply part of a political debate that we all understand is part of a Republican strategy to deride this institution, to change the subject from those other political problems this country faces in relation to our health care and the unemployment rate that besets so many of our communities.

It is clearly an effort to put this institution in the spotlight, to try to di-

vert public attention away from the very issues the public has sent us here to deal with.

I want to speak to the concerns of the gentleman from Pennsylvania [Mr. WALKER], my friend, indeed, a leader in passing through this Congress language that says this should be a drug-free workplace.

I must say just passing laws does not make it so.

In fact, I took note this year, as the Clerk of the House presented his budget to our subcommittee, of the very real efforts we are making here to help people who come in voluntarily and tell us they are substance abusers. Our Clerk is working to help these people get the help they need. Those of us who want to do something other than simply pass laws, who really want to work on the human problems that drug abuse produces, need to invest in these efforts.

I think we are making progress. We can be proud of that. But to say because we passed a law and there is therefore not going to be some employee of the House Post Office who violates the laws relating to drugs is dreaming. We need to take cognizance of the reality that the people who work for us, like people working all across the country, have these problems. And we need to help them deal with it. But we do not need to heighten the political temperature here. We do not need to create a separate institutional entity. We do not need to place blame and attempt to further heighten public criticism of this institution.

We need to simply do the job we were elected to do, and I am convinced the gentleman from North Carolina [Mr. ROSE] and his committee will do it well for this institution and for all of us on both sides of the aisle. Let's let them take their responsibility and exercise it.

□ 1400

Mr. GEPHARDT. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the majority leader for yielding time to me.

I do not want to intellectualize about this issue. I want to express outrage, and I hope that every Member, be he Republican or be she Democrat shares that outrage.

I am very proud to be a Member of this House, and to the extent our individual conduct or the conduct of anybody whom we employ diminishes the respect of the public for this institution and their House of Representatives, let us not intellectualize, let us not burn crosses, let us not have star chambers, but let us be outraged.

Yes, the American public understands that there are societal problems. But I tend to differ with my colleague from Connecticut, who pre-

viously spoke. This is our problem. Let us solve it. Let us solve it quickly, directly and forcefully.

Why? Because I am outraged and I know the American public is outraged. Drug sales on Capitol Hill should not be tolerated for 1 second, not for 1 second. And to the extent that all of us have responsibility for that, let us take it, individually and collectively as an institution. Let us shine as an example for democracy. Let us shine as an example of a free world parliamentary body that cares about its own conduct.

Members have all been out there campaigning. I have not bounced a check. I do not know that I have ever in my life bounced a check. I may have. But I do not appreciate the conduct of other Members who have exposed me to not being respected in my community by indirection. Let us take personal responsibility, each of us, not as a partisan issue, but as Americans who care about this institution, and let us clean up our act as Democrats and as Republicans. And none of us, as all of us know, are free from some part of the responsibility or the blame for that conduct.

I have asked the majority leader for this time because I thought somebody ought to express what I know the American public is feeling. It is the outrage that I am feeling about anybody who works for this institution who would undermine our credibility, respect and confidence by this outrageous conduct.

I am going to support the majority leader's resolution. That is no surprise to anybody. I think that Chairman ROSE, and I serve on that committee and the ranking member, the gentleman from California [Mr. THOMAS] share my outrage and the concern of all of us. I believe they will act directly, responsibly and forcefully. And I urge the leadership on both sides of the aisle to do the same.

Again, I thank the majority leader for yielding the time to me.

Mr. GEPHARDT. Mr. Speaker, I yield 30 seconds to the gentleman from North Carolina [Mr. ROSE].

Mr. ROSE. Mr. Speaker, I just want to rise and thank my colleague from Maryland [Mr. HOYER] for that very eloquent and impassioned statement about personal responsibility for the actions of the employees of this House. I too share the kind of rage the gentleman from Maryland just expressed. And when this investigation, if it goes forward in our committee as it should, and when we find, even if it is an officer of this House who may have let us down by having employees that would allow the kind of conduct that the gentleman has spoken about, we will be bold, we will be swift, and we will let the chips fall where they may.

But we do not need to do it with an extra committee around here when we already have in place in this institu-

tion the Committee on House Administration.

Mr. LEWIS of California. Mr. Speaker, I yield 2½ minutes to the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Speaker, I rise today out of concern for you and all of us, and a concern for this U.S. House of Representatives. As one who has been involved in the reform movement for the year that I have been here in Congress, I would say those of us who are interested in true reform are interested in just that, reform. I do not want to bash this institution, nor do we want to bash our colleagues.

But all of us have been home. You have talked to your constituents, I have talked to mine. They are outraged. Congress today stands in the lowest esteem in the history of polling in this country. And why? Because the American people look at us as ineffective and unaccountable.

If we are sincerely going to do something about real reform in this Congress, those are the two issues we have to address, accountability and effectiveness. On the effectiveness issue we all know the problems of committees and the proliferation of subcommittees and the rules under which we operate. It is broke. One only has to look at what happened last year during the consideration of banking reform legislation. We never could get our arms around it. Look at the problem with health care. We cannot get our arms around that issue.

We need real reform, and that is why many of us in this House are supporting the Hamilton-Gradison resolution to set up that select committee.

But when it comes to accountability, Mr. Speaker, we really fall down. Congress is not willing to live under the same laws that we expect all Americans to live under. Congress will be the first body to call for an investigation in the executive branch of Government, the first body to want to hold everyone in the private sector accountable for every section, every word and every dollar we give them, but yet we say to the American people, "Oh, do not hold us to the same standard." Today we have the October Surprise, another issue that is going to diminish our accountability and our credibility with our constituents.

Today we have an opportunity to take an independent step, to set up an independent body and to put this House on the right step, to take the first step toward real reform, which is going to increase our credibility with the American people and which is going to once again start the process of building some faith and confidence in our constituents so that one day our constituents can have respect for this institution, the greatest institution in this democracy.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Speaker, I thank the gentleman very much for yielding time to me, particularly since I did not have a chance to conclude my remarks under 1 minute addresses at the beginning of the session today.

I simply want to stand up and say to the American people and to my colleagues today as a relative newcomer to this body that what is transpiring here is *deja vu* all over again. We had a very similar response from the senior Democrat leadership in the House to the very serious issue of the House bank check kiting and bank scandal last summer. Members will recall that the Speaker took the well, I believe for only the second time in the first session, the first time by concluding some very moving and eloquent debate about the Persian Gulf resolution, but this time he said, "We haven't done anything wrong and we won't do it again." And that kind of an answer is a white-wash and it borders on a coverup.

What we need to do under these circumstances is to reject this internal management review idea. Again, the effort here is to sweep the whole matter under the rug and dismiss it, and hope that the media attention and public attention span, which is notoriously short, moves on to another subject and we should focus indeed on the upcoming resolution which will demand a thorough, independent investigation which will assign accountability and culpability where it belongs.

Mr. GEPHARDT. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Speaker, I think we are all outraged at the press reports regarding the post office and the office of the postmaster. Let us be clear about that. No one will tolerate crime in any way, shape, or form. What is at question here is the means to investigate. All of us agree that the matter should be investigated thoroughly, in a bipartisan, equal representation manner.

This side of the aisle wants to have a new select committee established, and the resolution by my chairman and others would allow the House Administration Committee, with an equal representation of Republicans and Democrats, to investigate. Both groups want to investigate. Both groups call for Members of Congress to do the investigating.

□ 1410

I think that the House Administration Committee is perfectly capable of investigating this in a bipartisan manner. I have tremendous confidence in the gentleman from California [Mr. THOMAS], the minority leader, who is practically treated like a cochairman by our chairman, the gentleman from North Carolina [Mr. ROSE] and involved in every single facet of the committee's operation.

Now, I just want to say to my Members, when we are given the authority,

what we have done for this institution. Remember, there are 12,500 employees. We have in the few years that I have been on the committee and when we have been given the opportunity by both parties to do it, with the able assistance of the gentleman from Kansas [Mr. ROBERTS], I might add, we have reformed the police department in a seven-point plan so that patronage is no longer a factor.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GEPHARDT. Mr. Speaker, I yield 2½ additional minutes to the gentleman.

Ms. OAKAR. We have reformed the police department so that individuals who are minorities and women and individuals who are white males and white women who felt they were discriminated against and felt that they were not treated fairly and felt that on the basis of their merits they could not move upward in the police department, we have changed that.

We have changed the retirement plan. We have changed the manner in which they were paid. We have eliminated a patronage system.

And yes, we have reformed the restaurant system. We did not have the authority to dig into what other private sector restaurant programs were manifesting. When we were given the authority, and we just got that last August, we have added to the reform of that system.

I want to say one thing about that list that somebody mentioned, that gave Members' names. Everyone knows that list was practically pure fiction and it was outrageous, that whoever leaked that fictitious list embarrassing Members of Congress and staff and organizations would put it out.

Now we know what happened. We have gotten an apology from Service America who apparently were involved in leaking that kind of list.

Let me say another word about drugs, which is one of the reforms of this institution and should be a major reform in the entire country. We have 12,500 employees here. They mirror the jobs of America. They are clerks. They are parking lot attendants. They are cafeteria workers. Yes, they are members of our staffs. They are people who work at the doors. They are people who protect the institution. They are members of the police department.

We in a bipartisan manner formed an employee assistance program for drugs and alcohol abuse because we know that drugs are a problem.

And with the Office of the Clerk, we have that program intact. Let us be clear about that.

We are saying that if a person has an alcohol problem, they can get assistance, but if a person tries to sell drugs, then we turn the information over to the Justice Department, and it is my understanding that already has been done.

So let us be very clear. We want to investigate what are the outrageous accounts of conduct of certain individuals who work in the post office for the House, but let us be very clear that it is not a question of investigating it and sweeping this under the carpet. We want to let the Committee on House Administration do its job in a bipartisan manner.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. KLUG].

Mr. KLUG. Mr. Speaker, later this afternoon this body is going to spend some time deliberating whether or not we want to appoint an independent counsel and an independent investigator to take a look at the October Surprise.

Well, if you really think something happened that was nefarious and sinister all those years ago, let us have an investigation. Let us have the State Department do it, or maybe instead we should have the White House do it, or maybe the Republican National Committee do it. You would not stand for that for a minute, because you would think it needs to be independent.

OK, I will buy into your argument. We do need somebody independent to take a look at it, but then we need somebody independent outside to take a look at these allegations, because what and who is involved raises fundamental questions about this institution. There are not only allegations that drugs were sold, there are not only allegations that money was laundered, there are also allegations that Members of Congress were again involved in some kind of check kiting operations. There are also serious allegations of possible obstruction of justice, of police investigations being very quietly killed.

There is an old principle in organizational psychology that says the best predictor of somebody's future conduct is past conduct. I think that holds very true of Congress. What can we expect to happen if we allow the House Administration Committee to look at this? I suspect it will be what we have seen happen when we have appointed councils and committees inside to take a look at the check cashing problems and other problems in this institution. Nothing, absolutely nothing will happen.

We have to go to the outside, because we have been warned since the mid-1970's of the dangers of this institution running its own operations. We have seen problems in the dining room. We have seen problems in the post office. We have seen problems in the House bank.

If we want to break with tradition and if we want to prove that our future conduct will be different than our past conduct, let me echo the observations of the minority leader, the gentleman from Illinois [Mr. MICHEL] in his calls

earlier this week for an independent prosecution and an independent investigation, because anything less will let this institution down and will also let the American people down.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding me this time.

As I was sitting in my office, I heard the gentleman from Connecticut say that we should not criticize ourselves. I take exception to that because I think we need to criticize ourselves once in awhile.

When I got here on the floor, I heard my good friend, the gentleman from Maryland [Mr. HOYER], for whom I have the greatest admiration and respect, saying that we ought to clean up our own act. And I agree with that so much.

Mr. Speaker, I have stood on this floor time after time, year after year, offering amendments requiring random drug testing of Federal employees throughout the country, because most studies say that 10 percent of the American people use, at least recreationally, illegal drugs.

I do not know that any Member of Congress uses drugs, and I do not believe that any do. But I have had a bill in which would require the employees of this legislative body, and its officers, to be drug tested randomly, just like we do to our entire military.

Many Members in this room helped me urge Ronald Reagan to implement random drug testing in our military back in 1983. At that time there was an admitted drug use by 25 percent of all our military personnel. We implemented it. It was in effect for 6 years, and 6 years later less than 4 percent of our entire military were using illegal drugs. That is an 80 percent drop.

The majority needs to discharge my bill out of the House Administration Committee, which has been holding the bill, and let us debate it. I cannot get the bill to the floor. I cannot offer it as an amendment simply because there is no authorizing committee dealing with it. So I am thwarted every year from offering it.

A few months from now our legislative branch appropriations bill will come to the floor. I will once again try to amend it, but my drug-testing amendment will be shot down because of the prohibition against legislating on an appropriations bill.

Mr. Speaker, I beg of all of you, let us set the example in our own House. Let us build up our integrity in the eyes of the American people.

I say to the gentleman from North Carolina [Mr. ROSE] and others, discharge my bill. Put it on the floor and let us implement random drug testing here in this House; that will eliminate the problem.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Mr. Speaker, I thank the gentleman for yielding me this time.

Let me be very clear. I believe the Democratic leadership is simply not being candid with the Members of this House and the entire tenor of the debate on their side has not helped to inform Members.

I have served on the House Administration Committee for 14 years. The House Administration Committee is run by the Democrats, for the Democrats, and in favor of the Democrats.

As one Republican staff member said a few minutes ago, "We do not even have enough access to know what information to ask for."

This entire cocaine and theft scandal has been handled by the Democratic leadership as a partisan coverup of their patronage problems.

When did the Democratic leadership in the House know of allegations of theft and cocaine selling in the House post office? I believe the answer is at least 10 months ago.

□ 1420

When did they give the Republican leadership the postal inspector's report? Two weeks ago, after the Washington Times broke the story. To the best of our understanding, apparently the Democratic leaders' lawyer and the Speaker's staff blocked the Capitol Police from an investigation 9 months ago without telling the Republican leadership.

Now, the House Democratic leadership, having covered up a cocaine and theft scandal for 6 to 9 months, wants the Members to vote for an investigation they can control.

In a few hours, the Democratic leadership will ask us to spend \$1 million or more to investigate an 11-year-old political charge. But the Democratic leadership does not want to set up an investigation of the cocaine sale and theft in this House post office in the last year.

A "yes" vote is a vote for a coverup; a "yes" vote is a vote for a whitewash. If you want an open and honest investigation, vote "no."

Today each Member will decide if they are a part of the problem and a part of the coverup, those Members will vote "yes." Or they can decide to be part of the cleanup and part of the honest reform the country wants; those Members will vote "no."

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURTHA). The gentleman yields back 1 minute.

Mr. GEPHARDT. Mr. Speaker, I yield myself 1 minute to simply respond to the gentleman's statement that there was a coverup or that people made con-

scious attempts to keep information away from the committee, this is absolutely wrong.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Missouri for yielding, and I am so pleased he said that, because I was tempted to get up in my seat and make a point of personal privilege.

Look, there is absolutely no coverup going on here at all. This is a scandal. I do not have to go home and talk to my constituents. We are all scandalized by this.

This is a tragedy. But the Committee on House Administration is ready to move on this. They have got it. They have been doing the investigation. There is not one allegation here that they have held anything up.

Furthermore, the Department of Justice—my understanding is that the Attorney General is appointed by the President—can be involved. They can ask for a special prosecutor, they can do anything they want.

You know, it is very painful for me to sit here and listen to this going back and forth, back and forth. No wonder the American public is very tired of us.

You know, for 12 years back when I used to chair the Subcommittee on Civil Service, I was talking about the whole new ethics-free zone that Ronald Reagan and George Bush put in for the executive branch. And how many scandals we had on down there.

We used to have little signs with all their names on them; what it was like to live in Sleazeville. We have seen pardoned S&L's and all that, but it is a shame because it comes down on all of us. This comes down on all of us.

I think what we ought to do here today is, both Republicans and Democrats, both sides of the aisle, all sorts of people have not done the oversight that should have been done in the administrative offices all across the board in this town, and we roll up our shirtsleeves and we go at it. But I do not see any coverup here.

This is under the Attorney General. He can ask for a special prosecutor under that statute, as I understand it. No one has done anything to hold anything up. I think we are just out here trying to score points.

Let us not score points, let us restore dignity to this institution, which I love and you love and we all watch getting diminished every single day by this. That is terrible.

But I defy you to name 10 Members who had any idea what was really going on in the post office.

Mr. Speaker, I again thank the gentleman from Missouri for leading this debate.

Mr. LEWIS of California. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Just to clarify for the majority leader: It is my understanding that in May of last year allegations were made, the Capitol Police were informed, the Democrats' lawyer was informed. He did not inform the Republican leadership.

In June of last year the Democrats' lawyer blocked the Capitol Police; he did not inform the Republican leadership.

In September of last year the Postal Service reported to the postmaster; the Republican leadership was never informed.

We finally learned of this scandal because the Washington Times wrote an article.

And I think even our most involved Members who are among the most bipartisan were shocked to discover they had never seen a report that was 6 months old.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. MICHEL], our Republican leader.

Mr. MICHEL. Mr. Speaker and my colleagues, I had not really intended to speak today even though I suspect the resolutions that have been introduced today were brought about as a result of some of the things we might have said a day or two ago, expressing our own personal outrage and concern over what apparently was happening right under our own noses for an extended period of time, and then having so little knowledge of it up until the moment we made the comment.

I will simply say that the roots of the problem, I think, are a result of the arcane rules, regulations and kinds of practices that we have been operating under in this institution for a good long time.

I may be in a unique position because now I am the elected leader on this side for some 12 years. It has been my privilege to serve with three different Speakers since I have been leader, and for different Speakers before that time.

We have a rule on our caucus on my side of the aisle, incidentally, that gives me pretty much authority and sayso about who our House officers are and how they deport themselves. Believe me, if there were one of those, as a result, who served as an officer on our side by vote of our caucus, yes, at my recommendation, who brought some or any kind of discredit or ill-repute on this institution, it would not take me until the afternoon of the morning I found out to have them leaving and packing their bags.

That is the authority I think you really in a sense have to have.

Maybe it is part of the inherent institutional framework that does not give that kind of accountability to us. But I will tell you, when we have to, as my dear friend Mr. HOYER made mention, because he and I are in the same category in the item we mentioned, and

then to have to shoulder that kind of burden, you know, just because we are part of the institution and have nothing to do about what happened.

So I do have a problem when it is going to be handled again in the House. I think the gentleman from Wisconsin [Mr. KLUG] said it pretty well; if it ends up being inhouse, I think the burden is on you, gentleman and ladies, who serve on that particular committee. I would rather it be otherwise, but we know where the votes are around here. Yes, I have confidence in Mr. THOMAS if he is told everything and the other members on our committee, if they are likewise privy to all the information the majority has. But it is our problem and it is our institution and we all have to feel strongly about anything that discredits us and brings us as individuals, as Members of this institution, in disrepute.

So we have got a problem. It ought not to take all that long to solve it, quite frankly. Some of the more injurious things that end up before the U.S. attorneys, that is something a bit different again.

But there are some other administrative things that can be handled, frankly, with a snap of the finger, if only we had the will to do it. And I will tell you we ought to be getting to doing that which we have the power to do summarily, instantaneously, just to improve this institution.

Mr. Speaker, I yield back the balance of my time.

Mr. GEPHARDT. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. MCCLOSKEY].

Mr. MCCLOSKEY. Mr. Speaker, I thank the majority leader for yielding. I will be very brief.

But as a human being, more than a Democrat, I am very saddened by the probably, almost certainly spurious charges that the minority whip has raised against our Speaker. I think the full investigation will reveal how spurious they are.

I will say also that historically Mr. GINGRICH—

Mr. GINGRICH. Mr. Speaker, I demand that the gentleman's words be taken down.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. MCCLOSKEY. I will finish my statement then.

Mr. GINGRICH. Mr. Speaker, I move the gentleman's words be taken down.

Mr. MCCLOSKEY. But the pyrotechnics—

Mr. GINGRICH. Regular order.

Mr. WALKER. Regular order.

Mr. MCCLOSKEY. The pyrotechnics—

The SPEAKER pro tempore (Mr. MURTHA). The gentleman will desist.

The gentleman asks that the words be taken down.

The Clerk will report the words.

□ 1430

Mr. MCCLOSKEY. Mr. Speaker, I have been advised that I should with-

draw my words, so, in all good faith, I withdraw my words.

The SPEAKER pro tempore (Mr. MURTHA). Without objection, the gentleman from Indiana [Mr. MCCLOSKEY] withdraws his statement.

There was no objection.

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentleman from Washington [Mr. SWIFT].

Mr. SWIFT. Mr. Speaker, there are harsh words. We are too frequently these days betting into a situation in which there are more harsh words than there are actions.

Let us take a look at what the facts are here. Something has occurred that needs to be addressed. The gentleman from North Carolina [Mr. ROSE], the chairman of the Committee on House Administration, has assured this institution that it will be addressed and will be addressed vigorously, and yet there have been phrases here on the floor such as:

"Sweep it under the rug," "whitewash," "partisan coverup," and so forth.

Well, Mr. Speaker, what are the facts? Not only has the chairman of the Committee on House Administration assured that there will be an investigation, but the Capitol Police are investigating, and, very importantly, the U.S. attorney is investigating.

Pray tell, was there anyone who wished to cover up, to whitewash, to sweep under the rug? And how would that be done? With a rather well-known partisan U.S. attorney investigating this issue? How could something be swept under the rug, or whitewashed, or be a partisan coverup unless every single Republican in this House were to catch laryngitis on the same day? I am sure they would point at that were that to occur.

As to whether we need some independent study, let us take a look at that. This House, this Congress, has oversight authority, and, if it is suggested that the Committee on House Administration is incompetent of conducting oversight in its jurisdiction, then I presume that they would say that the Committee on Armed Services should not be allowed oversight over the Defense Department, or the Committee on Interior and Insular Affairs to have oversight over the national parks, or the Committee on the Judiciary to have oversight over the Justice Department and its activities.

Mr. Speaker, what we are proposing here is precisely the regular order. It is a bipartisan process. The Committee on House Administration is not going to investigate this Democrats-only, but the very capable and alert Republican members of the Committee on House Administration will be a part of it throughout the entire process.

Mr. Speaker, someone suggested that the public memory; it was someone on this side of the aisle because I do not

agree with this statement; he said the public memory is extremely and notoriously short, so this will be swept under the rug. No. We have the honor of the committee, we have the reputation of the Republicans on the Committee on House Administration, we have the Capitol Police, and we have the ability of the U.S. attorney, all of whom are going to see that it is not a matter of public memory, or even silence on the part of the Republicans. It is a matter of what is right. It is going to be done under the regular process.

Mr. Speaker, support for the majority leader's proposal is what makes sense. Anything else perhaps might be partisan motivation of its own variety.

Mr. LEWIS of California. Mr. Speaker, I yield 1 additional minute to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, I thank the gentleman from California [Mr. LEWIS] for yielding this time to me.

Mr. Speaker, I appreciate the promotion to cochairman of the subcommittee by my good friend, the gentlewoman from Ohio [Ms. OAKAR], and I appreciate the gentleman from Washington [Mr. SWIFT] saying that I am capable and alert. That is always good to hear. We did work together on a seven-point plan for the police department, and the gentleman from California [Mr. THOMAS] certainly appreciates the elevation to cochairman of the Committee on House Administration, but let the RECORD show that we both feel, the gentleman from California [Mr. THOMAS] and myself, that an independent investigation is the way to go.

The gentlewoman from Colorado [Mrs. SCHROEDER] said, "This is painful." Painful? For 10 years I have been working with the majority, very good people in the majority, on behalf of the 160 people that work in the post office and with Bob Rota. We ought to have an investigation, an investigation to clear Bob's name, if in fact that is going to take place.

Mr. Speaker, let me ask my colleagues, "How many times do you ask me to do the chores and to work with you on behalf of this House and then turn around and deny us access to the process? Part of what we are is what you allow us to be. I have a list of events here that we've been trying to piece together for only 4 days. This whole business started in April. The people were not dismissed until December. Or September 27, 1991, the final postal inspector audit was provided to the DC Postmaster, Mr. Rota, Mr. Ross, and the chairman of the House Post Office Subcommittee, Postal Operations, and Mr. McCLOSKEY."

Mr. Speaker, the reason that we are objecting, the reason we need an independent investigation that we have been kept in the dark, we do not know. Even today, when an investigation is apparently underway, we still do not have access.

Mr. LEWIS of California. Mr. Speaker, in the time remaining I wish to say that I hope that the Speaker and my colleagues will have some sense for the pain I feel in bringing my own resolution to the floor today and objecting to this process before us today. While I consider myself to be no small bomb thrower when it comes to revolution, I feel that this institution's credibility is at stake. Today I stand here in a sense of outrage because of what this leadership has allowed to happen to this House.

Mr. Speaker, there is absolutely no question. It is time for independent review.

Mr. Speaker, this is no small problem. The bank controversy demanded that we close down our bank, the Committee on Standards of Official Conduct will be reporting shortly a whole list of names that relate to Members' abuse because of a lack of effective oversight—oversight by the very committee that the leadership would refer this matter to. Absolutely no question. The problems of the restaurant are unacceptable to the American people; again no effective oversight. And the same committee should have exercised its responsibility. Mr. Speaker, we are long past the time where we can support business as usual.

It is my understanding that every effort was made to see that the Attorney General did not enter this case. They wanted to handle it in house, business as usual.

Mr. Speaker, I will be asking for a no vote on the previous question on this matter because this should not be handled pro forma—like business as usual. This very committee, which will have the final vote, if it goes to that committee, is the committee that is a source of these original problems. The oversight committee which exercised no oversight.

And it is not a partisan question, Mr. Speaker. Indeed the reputation, the credibility, of the greatest institution in the world, the House of Representatives, is at stake, and for that reason, Mr. Speaker, I urge my colleagues to vote no on the previous question and support my resolution for a bipartisan special investigation.

Mr. GEPHARDT. Mr. Speaker, I yield the balance of our time to the gentleman from North Carolina [Mr. ROSE].

Mr. ROSE. Mr. Speaker, I thank our majority leader, the gentleman from Missouri [Mr. GEPHARDT], for yielding this time to me.

Mr. Speaker, I think there are a few things that need to be reiterated in summary.

The gentleman from California [Mr. LEWIS] has circulated a copy of a resolution that he has proposed to offer that sets up a select committee to investigate certain allegations concerning the House post office. That is not

outside counsel. That is another in-house operation.

I share the kind of sentiment that the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL], expressed just a few minutes ago about how swiftly he would act in response to any kind of a finding regarding impropriety by officers on his side of the aisle.

□ 1440

That is what we are prepared to do in the Committee on House Administration. We got the postal inspectors' report the same day the gentleman from California [Mr. LEWIS] got the postal inspectors' report. We started, in the full committee, our own investigation of those allegations and for 10 days have been interviewing people. If this resolution passes, all of that will be shared with the Republican members of our committee. We will go back through that process as they wish and recommend strong actions. As I said yesterday, we will let the chips fall where they may.

Mr. Speaker, I ask the Members to please support the majority leader's resolution. Let us not create another special committee for Congress.

Mr. GEPHARDT. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. MURTHA). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LEWIS of California. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 253, nays 162, not voting 19, as follows:

[Roll No. 5]

YEAS—253

| | | |
|--------------|---------------|--------------|
| Abercrombie | Boxer | Darden |
| Ackerman | Brewster | de la Garza |
| Alexander | Brooks | DeFazio |
| Anderson | Browder | DeLauro |
| Andrews (ME) | Brown | Dellums |
| Andrews (NJ) | Bruce | Derrick |
| Andrews (TX) | Bryant | Dicks |
| Annuzio | Bustamante | Dingell |
| Anthony | Byron | Dixon |
| Applegate | Campbell (CO) | Donnelly |
| Aspin | Cardin | Dooley |
| Atkins | Carper | Dorgan (ND) |
| AuCoin | Carr | Downey |
| Bacchus | Chapman | Durbin |
| Barnard | Clement | Dwyer |
| Beilenson | Collins (IL) | Early |
| Bennett | Collins (MI) | Eckart |
| Berman | Condit | Edwards (TX) |
| Bevill | Conyers | Engel |
| Bilbray | Cooper | English |
| Blackwell | Costello | Erdreich |
| Bonior | Cox (IL) | Espy |
| Borski | Coyne | Evans |
| Boucher | Cramer | Fascell |

| | | | | | | | | |
|---------------|---------------|-------------|---------------|---------------|-------------|---------------|---------------|-------------|
| Fazio | Martinez | Rowland | McGrath | Ridge | Smith (TX) | Frank (MA) | McCloskey | Russo |
| Feighan | Matsui | Roybal | McMillan (NC) | Riggs | Snowe | Gejdenson | McCurdy | Sabo |
| Flake | Mavroules | Russo | Meyers | Rinaldo | Solomon | Gephardt | McDermott | Sanders |
| Foglietta | Mazzoli | Sabo | Michel | Ritter | Spence | Geren | McHugh | Sangmeister |
| Ford (MI) | McCloskey | Sanders | Miller (OH) | Roberts | Stearns | Gibbons | McMillen (MD) | Sargalius |
| Ford (TN) | McCurdy | Sangmeister | Molinar | Rogers | Stump | Glickman | McNulty | Savage |
| Frank (MA) | McDermott | Sargalius | Moorhead | Rohrabacher | Sundquist | Gonzalez | Mfume | Sawyer |
| Frost | McHugh | Savage | Morella | Ros-Lehtinen | Taylor (NC) | Gordon | Miller (CA) | Scheuer |
| Gejdenson | McMillen (MD) | Sawyer | Myers | Roth | Thomas (WY) | Guarini | Mineta | Schroeder |
| Gephardt | McNulty | Scheuer | Nichols | Roukema | Upton | Hall (OH) | Mink | Schumer |
| Geren | Mfume | Schroeder | Nussle | Santorum | Vander Jagt | Hall (TX) | Moakley | Serrano |
| Gibbons | Miller (CA) | Schumer | Oxley | Saxton | Vucanovich | Hamilton | Mollohan | Sharp |
| Glickman | Mineta | Serrano | Packard | Schaefer | Walker | Harris | Montgomery | Sikorski |
| Gonzalez | Mink | Sharp | Paxon | Schiff | Walsh | Hatcher | Moody | Sisisky |
| Gordon | Moakley | Sikorski | Petri | Schulze | Weber | Hayes (IL) | Moran | Skaggs |
| Guarini | Mollohan | Sisisky | Porter | Sensenbrenner | Weldon | Hayes (LA) | Murphy | Skelton |
| Hall (OH) | Montgomery | Skaggs | Pursell | Shaw | Wolf | Hefner | Murtha | Slattery |
| Hall (TX) | Moody | Skelton | Quillen | Shays | Wylie | Hertel | Nagle | Slaughter |
| Hamilton | Moran | Slattery | Ramstad | Shuster | Young (AK) | Hoagland | Natcher | Smith (FL) |
| Harris | Murphy | Slaughter | Ravenel | Skeen | Young (FL) | Hochbrueckner | Neal (MA) | Smith (IA) |
| Hatcher | Murtha | Smith (FL) | Regula | Smith (NJ) | Zeliff | Horn | Neal (NC) | Solarz |
| Hayes (IL) | Nagle | Smith (IA) | Rhodes | Smith (OR) | Zimmer | Hoyer | Nowak | Spratt |
| Hayes (LA) | Natcher | Solarz | | | | Hubbard | Oakar | Staggers |
| Hefner | Neal (MA) | Spratt | | | | Huckaby | Oberstar | Stallings |
| Hertel | Neal (NC) | Staggers | Clay | Johnson (TX) | Mrazek | Hughes | Obey | Stark |
| Hoagland | Nowak | Stallings | Coleman (TX) | Kolter | Thomas (CA) | Jacobs | Olin | Stenholm |
| Hochbrueckner | Oakar | Stark | Dannemeyer | Lantos | Thomas (GA) | Jefferson | Oliver | Stokes |
| Horn | Oberstar | Stenholm | Dymally | Levine (CA) | Waters | Jenkins | Ortiz | Studds |
| Hoyer | Obey | Stokes | Edwards (CA) | Markey | Whitten | Johnson (SD) | Orton | Sweet |
| Hubbard | Olin | Studds | Gaydos | Miller (WA) | | Johnston | Owens (NY) | Swift |
| Huckaby | Oliver | Swett | Hutto | Morrison | | Jones (GA) | Owens (UT) | Synar |
| Hughes | Ortiz | Swift | | | | Jones (NC) | Pallone | Tallon |
| Jefferson | Orton | Synar | | | | Jontz | Panetta | Tanner |
| Jenkins | Owens (NY) | Tallon | | | | Kanjorski | Parker | Tauzin |
| Johnson (SD) | Owens (UT) | Tanner | | | | Kaptur | Pastor | Taylor (MS) |
| Johnston | Pallone | Tauzin | | | | Kennedy | Patterson | Thornton |
| Jones (GA) | Panetta | Taylor (MS) | | | | Kennelly | Payne (NJ) | Torres |
| Jones (NC) | Parker | Thornton | | | | Kildee | Payne (VA) | Torricelli |
| Jontz | Pastor | Torres | | | | Klecza | Pease | Towns |
| Kanjorski | Patterson | Torricelli | | | | Kopetski | Pelosi | Trafficant |
| Kaptur | Payne (NJ) | Towns | | | | Kostmayer | Penny | Traxler |
| Kennedy | Payne (VA) | Trafficant | | | | LaFalce | Perkins | Unsoeld |
| Kennelly | Pease | Traxler | | | | Lancaster | Peterson (FL) | Valentine |
| Kildee | Pelosi | Unsoeld | | | | LaRocco | Peterson (MN) | Vento |
| Klecza | Penny | Valentine | | | | Laughlin | Pickett | Visclosky |
| Kopetski | Perkins | Vento | | | | Lehman (CA) | Pickle | Volkmer |
| Kostmayer | Peterson (FL) | Visclosky | | | | Levin (MI) | Poshard | Washington |
| LaFalce | Peterson (MN) | Volkmer | | | | Lewis (GA) | Price | Waxman |
| Lancaster | Pickett | Waxman | | | | Lipinski | Rahall | Weiss |
| LaRocco | Pickle | Weiss | | | | Lloyd | Rangel | Wheat |
| Laughlin | Poshard | Wheat | | | | Long | Ray | Williams |
| Lehman (CA) | Price | Williams | | | | Lowey (NY) | Reed | Wilson |
| Lehman (FL) | Rahall | Wilson | | | | Luken | Richardson | Wise |
| Levin (MI) | Rangel | Wise | | | | Manton | Roe | Wolpe |
| Lewis (GA) | Ray | Wolpe | | | | Martinez | Roemer | Wyden |
| Lipinski | Reed | Wyden | | | | Matsui | Rose | Yates |
| Lloyd | Richardson | Yates | | | | Mavroules | Rostenkowski | Yatron |
| Long | Roe | Yatron | | | | Mazzoli | Rowland | Young (FL) |
| Lowey (NY) | Roemer | | | | | | Roybal | |
| Luken | Rose | | | | | | | |
| Manton | Rostenkowski | | | | | | | |

NOT VOTING—19

Clay Johnson (TX) Mrazek
Coleman (TX) Kolter Thomas (CA)
Dannemeyer Lantos Thomas (GA)
Dymally Levine (CA) Waters
Edwards (CA) Markey Whitten
Gaydos Miller (WA)
Hutto Morrison

□ 1500

The Clerk announced the following pairs:

On this vote:

Mr. Dymally for, with Mr. Thomas of California, against.

Mr. EMERSON changed his vote from "yea" to "nay."

Mr. PAYNE of New Jersey and Mr. OLIN changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MURTHA). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GEPHARDT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The vote was taken by electronic device, and there were—yeas 254, nays 160, not voting 20, as follows:

[Roll No. 6]

YEAS—254

| | | | | | | | | |
|---------------|---------------|--------------|--------------|---------------|--------------|---------------|---------------|---------------|
| Allard | Dickinson | Hobson | Abercrombie | Brooks | Dellums | Allard | Dreier | Hunter |
| Allen | Doolittle | Holloway | Ackerman | Browder | Derrick | Duncan | Duncan | Hyde |
| Archer | Dorman (CA) | Hopkins | Alexander | Brown | Dicks | Edwards (OK) | Edwards (OK) | Inhofe |
| Army | Dreier | Horton | Anderson | Bruce | Dingell | Emerson | Emerson | Ireland |
| Baker | Duncan | Houghton | Andrews (ME) | Bryant | Dixon | Ewing | Ewing | James |
| Ballenger | Edwards (OK) | Hunter | Andrews (NJ) | Bustamante | Donnelly | Fawell | Fawell | Johnson (CT) |
| Barrett | Emerson | Hyde | Andrews (TX) | Byron | Dooley | Fields | Fields | Kasich |
| Barton | Ewing | Inhofe | Annuizio | Campbell (CO) | Dorgan (ND) | Fish | Fish | Klug |
| Bateman | Fawell | Ireland | Anthony | Cardin | Downey | Franks (CT) | Franks (CT) | Kolbe |
| Bentley | Fields | Jacobs | Applegate | Carper | Durbin | Gallely | Gallely | Kyl |
| Bereuter | Fish | James | Aspin | Carr | Dwyer | Gallo | Gallo | Lagomarsino |
| Billakis | Franks (CT) | Johnson (CT) | Atkins | Chapman | Early | Gekas | Gekas | Leach |
| Bliley | Gallely | Kasich | AuCoin | Clement | Eckart | Gilchrist | Gilchrist | Lent |
| Boehlert | Gallo | Klug | Bacchus | Collins (IL) | Edwards (TX) | Gillmor | Gillmor | Lewis (CA) |
| Boehner | Gekas | Kolbe | Barnard | Collins (MI) | Engel | Gilman | Gilman | Lewis (FL) |
| Broomfield | Gilchrist | Kyl | Bellenson | Condit | English | Gingrich | Gingrich | Lightfoot |
| Bunning | Gillmor | Lagomarsino | Bennett | Conyers | Erdreich | Goodling | Goodling | Livingston |
| Burton | Gilman | Leach | Berman | Cooper | Espy | Goss | Goss | Lowery (CA) |
| Callahan | Gingrich | Lent | Bevill | Costello | Evans | Gradison | Gradison | Machtley |
| Camp | Goodling | Lewis (CA) | Bilbray | Cox (IL) | Fascell | Grandy | Grandy | Marlenee |
| Campbell (CA) | Goss | Lewis (FL) | Blackwell | Coyne | Fazio | Green | Green | Martin |
| Chandler | Gradison | Lightfoot | Bonior | Cramer | Feighan | Gunderson | Gunderson | McCandless |
| Clinger | Grandy | Livingston | Borski | Darden | Flake | Hammerschmidt | Hammerschmidt | McCollum |
| Coble | Green | Lowery (CA) | Boucher | de la Garza | Foglietta | Hancock | Hancock | McCrery |
| Coleman (MO) | Gunderson | Machtley | Boxer | DeFazio | Ford (MI) | Hansen | Hansen | McDade |
| Combust | Hammerschmidt | Marlenee | Brewster | DeLauro | Ford (TN) | Hastert | Hastert | McEwen |
| Coughlin | Hancock | Martin | | | | Hefley | Hefley | McGrath |
| Cox (CA) | Hansen | McCandless | | | | Henry | Henry | McMillan (NC) |
| Crane | Hastert | McCollum | | | | Herger | Herger | Meyers |
| Cunningham | Hefley | McCrery | | | | Hobson | Hobson | Michel |
| Davis | Henry | McDade | | | | Holloway | Holloway | Miller (OH) |
| DeLay | Herger | McEwen | | | | Hopkins | Hopkins | Miller (WA) |
| | | | | | | Horton | Horton | Molinar |
| | | | | | | Houghton | Houghton | Moorhead |

NAYS—160

| | | |
|---------|---------------|-------------|
| Morella | Rogers | Spence |
| Myers | Rohrabacher | Stearns |
| Nichols | Ros-Lehtinen | Stump |
| Nussle | Roth | Sundquist |
| Oxley | Roukema | Taylor (NC) |
| Packard | Santorum | Thomas (WY) |
| Paxon | Saxton | Upton |
| Petri | Schaefer | Vander Jagt |
| Porter | Schiff | Vucanovich |
| Pursell | Schulze | Walker |
| Quillen | Sensenbrenner | Walsh |
| Ramstad | Shaw | Weber |
| Ravenel | Shays | Weldon |
| Regula | Shuster | Wolf |
| Rhodes | Skeen | Wyllie |
| Ridge | Smith (NJ) | Young (AK) |
| Riggs | Smith (OR) | Zeliff |
| Rinaldo | Smith (TX) | Zimmer |
| Ritter | Snowe | |
| Roberts | Solomon | |

NOT VOTING—20

| | | |
|--------------|--------------|-------------|
| Barrett | Gaydos | Morrison |
| Clay | Hutto | Mrazek |
| Coleman (TX) | Johnson (TX) | Thomas (CA) |
| Dannemeyer | Kolter | Thomas (GA) |
| Dymally | Lantos | Waters |
| Edwards (CA) | Levine (CA) | Whitten |
| Frost | Markey | |

□ 1517

The Clerk announced the following pairs:

On this vote:

Mr. Dymally for, with Mr. Thomas of California against.

Mrs. MEYERS of Kansas changed her vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—CREATING SELECT COMMITTEE TO INVESTIGATE CERTAIN ALLEGATIONS CONCERNING THE HOUSE POST OFFICE

Mr. LEWIS of California. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a privileged resolution (H. Res. 341) creating a Select Committee to Investigate Certain Allegations Concerning the House Post Office, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 341

Resolved, That (a)(1) there is created a Select Committee to Investigate Allegations Concerning the House Post Office (hereinafter referred to as the "select committee"), to be composed of 10 members, 5 to be appointed by the Speaker and 5 by the minority leader, with each designating a cochairman from his 5 appointments. Any reference in this resolution to action taken by the cochairmen shall require the agreement of both cochairmen. Any vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

(2) The select committee shall conduct a full and complete investigation and study, and make such findings as are warranted, respecting the following allegations and matters:

(A) Theft of Post Office moneys or property by Post Office employees.

(B) Use or distribution of illegal drugs by Post Office employees.

(C) Coverup of improper or illegal conduct of Post Office employees by their supervisors or other superiors.

(D) Conduct of Members of the House in their dealings with the Post Office.

(E) Oversight of Post Office accounts and activities by existing committees of the House or entities responsible for the same.

(F) All matters related, directly or indirectly, to subparagraphs (A) through (E).

(3) The select committee shall make recommendations to the Speaker and minority leader regarding the implementation of an improved system of oversight to prevent the repetition of improper or illegal conduct in finds.

(4) The select committee shall report to the Committee on Standards of Official Conduct evidence of improper or illegal conduct it finds by any Member, officer, or employee of the House.

(b) One-third of the members of the select committee shall constitute a quorum for the transaction of business other than the reporting of a matter, which shall require a majority of the select committee to be actually present, except that the select committee may designate a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony. The select committee may sit while the House is reading a measure for amendment under the five-minute rule. The rules of the House shall govern the select committee where not inconsistent with this resolution. The select committee shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent with this resolution or the rules of the House. Such rules may govern the conduct of the depositions, interviews, and hearings of the select committee, including the persons present. Such rules shall provide for the protection of classified information from unauthorized disclosure.

(c) The select committee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned; and to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, vouchers, audit reports, calendars, recordings, data compilations from which information can be obtained, tangible objects, and other things and information of any kind as it deems necessary. Unless otherwise determined by the select committee, the cochairmen, or the select committee shall authorize and issue subpoenas. Subpoenas shall be issued under the seal of the House and attested by the Clerk, and may be served by any person designated by the cochairmen or any member. The select committee may request investigations, reports, and other assistance from any agency of the legislative branch of the Federal Government.

(d) The select committee shall determine a method whereby each cochairman shall preside at alternate meetings and hearings of the select committee. All meetings and hearings of the select committee shall be conducted in open session, unless a majority of members of the select committee voting, there being in attendance a majority of select committee members, vote to close a meeting or hearing.

(e) The cochairmen, may employ and fix the compensation of such clerks, experts, consultants, technicians, attorneys, investigators, and clerical and stenographic as-

sistants as they consider necessary to carry out the purposes of this resolution. The select committee shall be deemed a committee of the House for all purposes of law. The select committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the select committee, other than expenses in connection with meetings of the select committee held in the District of Columbia.

(f) Unless otherwise determined by the select committee, the cochairmen may authorize the taking of affidavits and of depositions pursuant to notice or subpoena by at least 2 Members, under oath administered by a Member or a person otherwise authorized by law to administer oaths. Depositions shall be deemed to be taken in executive session.

(g) The select committee shall be authorized to respond to any judicial or other process, or to make any applications to court, upon consultation with the Speaker consistent with rule L.

(h) The select committee shall provide other committees and Members of the House with access to information and proceedings, consistent with rule XLVIII(7)(c). However, the select committee may direct that particular matters or classes of matter shall not be made available to any person by its members, staff, or others, or may impose any other restriction.

(i) By July 1, 1992, the select committee shall report to the House the status of its investigation. With respect to this and any other report of the select committee, including its final report, which shall be reported to the House by September 1, 1992, the report may be accompanied by supplemental, additional, or minority views.

(j) The select committee shall take no action that would impede any criminal investigation or proceeding instituted by the U.S. attorney general or other Federal agency or entity.

(k) At the conclusion of the existence of the select committee all records of the select committee shall become the records of the Clerk.

□ 1520

Mr. LEWIS of California (during the reading). Mr. Speaker, I ask unanimous consent that the privileged resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore (Mr. MURTHA). The resolution constitutes a question of the privileges of the HOUSE.

MOTION OFFERED BY MR. GEPHARDT

Mr. GEPHARDT. Mr. Speaker, I rise for the purpose of offering a privileged motion to lay the resolution on the table.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. GEPHARDT moves to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. GEPHARDT].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEWIS of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 250, noes 161, not voting 23, as follows:

[Roll No. 7]

AYES—250

| | | |
|---------------|---------------|---------------|
| Abercrombie | Gonzalez | Owens (UT) |
| Ackerman | Gordon | Pallone |
| Alexander | Guarini | Paretta |
| Anderson | Hall (OH) | Panetta |
| Andrews (ME) | Hall (TX) | Parker |
| Andrews (NJ) | Hamilton | Pastor |
| Andrews (TX) | Harris | Patterson |
| Annuzio | Hatcher | Payne (NJ) |
| Anthony | Hayes (IL) | Payne (VA) |
| Applegate | Hayes (LA) | Pease |
| Aspin | Hefner | Pelosi |
| Atkins | Hertel | Penny |
| AuCoin | Hoagland | Perkins |
| Bacchus | Hochbrueckner | Peterson (FL) |
| Barnard | Hoyer | Peterson (MN) |
| Beilenson | Hubbard | Pickett |
| Berman | Huckaby | Pickle |
| Bevill | Hughes | Poshard |
| Blibray | Jacobs | Price |
| Blackwell | Jefferson | Rahall |
| Bonior | Jenkins | Rangel |
| Borski | Johnson (SD) | Ray |
| Boucher | Johnston | Reed |
| Boxer | Jones (GA) | Richardson |
| Brewster | Jones (NC) | Roe |
| Brooks | Jontz | Roemer |
| Browder | Kanjorski | Rose |
| Brown | Kaptur | Rostenkowski |
| Bruce | Kennedy | Rowland |
| Bryant | Kennelly | Roybal |
| Bustamante | Kildee | Russo |
| Byron | Kleczka | Sabo |
| Campbell (CO) | Kopetski | Sanders |
| Cardin | Kostmayer | Sangmeister |
| Carper | LaFalce | Sarpalius |
| Chapman | Lancaster | Savage |
| Clement | LaRocco | Sawyer |
| Collins (IL) | Laughlin | Scheuer |
| Collins (MI) | Lehman (CA) | Schroeder |
| Condit | Lehman (FL) | Schumer |
| Conyers | Levin (MI) | Serrano |
| Cooper | Lewis (GA) | Sharp |
| Costello | Lipinski | Sikorski |
| Cox (IL) | Lloyd | Sisisky |
| Coyne | Long | Skaggs |
| Cramer | Lowey (NY) | Skelton |
| Darden | Lukens | Slattery |
| de la Garza | Manton | Slaughter |
| DeFazio | Martinez | Smith (FL) |
| DeLauro | Matsui | Smith (IA) |
| Dellums | Mavroules | Solarz |
| Derrick | Mazzoli | Spratt |
| Dicks | McCloskey | Staggers |
| Dingell | McCurdy | Stallings |
| Dixon | McDermott | Stark |
| Donnelly | McHugh | Stenholm |
| Dooley | McMillen (MD) | Stokes |
| Dorgan (ND) | McNulty | Studds |
| Downey | Mfume | Swett |
| Durbin | Miller (CA) | Swift |
| Dwyer | Mink | Synar |
| Early | Moakley | Tallon |
| Eckart | Mollohan | Tanner |
| Edwards (TX) | Montgomery | Tauzin |
| Engel | Moody | Taylor (MS) |
| English | Moran | Thornton |
| Erdreich | Murphy | Torres |
| Espy | Murtha | Torricelli |
| Evans | Nagle | Towns |
| Fascell | Natcher | Traficant |
| Fazio | Neal (MA) | Traxler |
| Feighan | Neal (NC) | Unsoeld |
| Flake | Nowak | Valentine |
| Foglietta | Oakar | Vento |
| Ford (TN) | Oberstar | Visclosky |
| Frank (MA) | Obey | Volkmer |
| Frost | Olin | Washington |
| Gedden | Oliver | Waxman |
| Gephardt | Ortiz | Weiss |
| Geren | Orton | Wheat |
| Gibbons | Owens (NY) | Williams |
| Glickman | | |

Wilson
Wise

Wolpe
Wyden

Yates
Yatron

NOES—161

| | | |
|---------------|---------------|---------------|
| Allard | Gradison | Packard |
| Allen | Grandy | Paxon |
| Archer | Green | Petri |
| Armey | Gunderson | Porter |
| Baker | Hammerschmidt | Quillen |
| Ballenger | Hancock | Ramstad |
| Barrett | Hansen | Ravenel |
| Barton | Hastert | Regula |
| Bateman | Hefley | Rhodes |
| Bennett | Henry | Ridge |
| Bentley | Herger | Riggs |
| Bereuter | Hobson | Rinaldo |
| Billirakis | Holloway | Ritter |
| Biley | Hopkins | Roberts |
| Boehliert | Horton | Rogers |
| Boehner | Houghton | Rohrabacher |
| Broomfield | Hunter | Ros-Lehtinen |
| Bunning | Hyde | Roth |
| Burton | Inhofe | Roukema |
| Callahan | Ireland | Santorum |
| Camp | James | Saxton |
| Campbell (CA) | Johnson (CT) | Schaefer |
| Chandler | Kasich | Schiff |
| Clinger | Klug | Schulze |
| Coble | Kolbe | Sensenbrenner |
| Coleman (MO) | Kyl | Shaw |
| Combust | Lagomarsino | Shays |
| Coughlin | Leach | Shuster |
| Cox (CA) | Lent | Skeen |
| Crane | Lewis (CA) | Smith (NJ) |
| Cunningham | Lewis (FL) | Smith (OR) |
| Davis | Livingston | Smith (TX) |
| DeLay | Lowery (CA) | Snowe |
| Dickinson | Machtley | Solomon |
| Doolittle | Marlenee | Spence |
| Dornan (CA) | Martin | Stearns |
| Dreier | McCandless | Stump |
| Duncan | McCollum | Sundquist |
| Edwards (OK) | McCrery | Taylor (NC) |
| Emerson | McDade | Thomas (WY) |
| Ewing | McEwen | Upton |
| Fawell | McGrath | Vander Jagt |
| Fields | McMillan (NC) | Vucanovich |
| Fish | Meyers | Walker |
| Franks (CT) | Michel | Walsh |
| Galleghy | Miller (OH) | Weber |
| Gallo | Miller (WA) | Weldon |
| Gekas | Molinari | Wolf |
| Gilchrist | Moorhead | Wyllie |
| Gillmor | Morella | Young (AK) |
| Gilman | Myers | Young (FL) |
| Gingrich | Nichols | Zeliff |
| Goodling | Nussle | Zimmer |
| Goss | Oxley | |

NOT VOTING—23

| | | |
|--------------|--------------|-------------|
| Carr | Hutto | Morrison |
| Clay | Johnson (TX) | Mrazek |
| Coleman (TX) | Kolter | Pursell |
| Dannemeyer | Lantos | Thomas (CA) |
| Dymally | Levine (CA) | Thomas (GA) |
| Edwards (CA) | Lightfoot | Waters |
| Ford (MI) | Markley | Whitten |
| Gaydos | Mineta | |

□ 1541

The Clerk announced the following pair:

On this vote:

Mr. DYMALLY for, with Mr. THOMAS of California against.

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—RESOLUTION AUTHORIZING HOUSE BIPARTISAN LEGAL ADVISORY GROUP TO CONDUCT INQUIRY INTO FACTS AND CIRCUMSTANCES SURROUNDING SENTENCING OF DIRK STOFFBERG

Mr. McEWEN. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a privileged resolution (H. Res. 342) and ask for its immediate consideration.

The SPEAKER pro tempore (Mr. MURTHA). The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 342

Whereas on January 10, 1992, the chief counsel of the House Committee on Foreign Affairs wrote to the U.S. District Court for the Eastern District of New York requesting leniency in the sentencing of Mr. Dirk Stoffberg, a convicted arms dealer, on grounds that he had provided the committee with evidence regarding the so-called "October Surprise;"

Whereas the chief counsel's letter was sent on committee letterhead purporting to be on behalf of the "House Committee on Foreign Affairs . . . in an ongoing investigation;"

Whereas the U.S. District Court consequently granted the request for a reduced sentence on grounds that, "Comity between independent branches of government suggests the desirability of assisting Congress in its important work where there is no strong conflict with a court's other sentencing responsibilities;"

Whereas the Federal District judge further indicated in his sentencing "Memorandum and Order" that, "were it not for the intervention of Congress," the defendant would have been sentenced to a longer term of imprisonment "because he threatened violence during the course of his criminal activity;"

Whereas neither the House, the Committee on Foreign Affairs nor any subcommittee thereof has ever authorized an investigation into the "October Surprise" allegations;

Whereas the House Bipartisan Legal Advisory Group has not authorized any intervention in the sentencing proceeding on behalf of the House or any of its committees;

Whereas at the time the chief counsel's letter was submitted to the U.S. District Court a resolution authorizing a special task force investigation into the "October Surprise" allegations was still pending in the House and had not yet been acted upon;

Whereas the misrepresentations of the position of the House and its committees in a judicial proceeding by an employee affects the rights of the House collectively, its dignity, and the integrity of its proceedings, and thereby raised a question of the privileges of the House under Rule IX: Now, therefore, be it

Resolved, That the House Bipartisan Legal Advisory Group (consisting of the Speaker, the majority and minority leaders, and the majority and minority whips) is hereby authorized and directed to inquire fully into the facts and circumstances surrounding the intervention by the chief counsel of the House Committee on Foreign Affairs in the sentencing of Mr. Dirk Stoffberg by the U.S. District Court for the Eastern District of New York and to submit to the House at the earliest practicable date, but not later than

45 legislative days after the adoption of this resolution, its findings thereon together with any actions taken or recommendations made in response to such incident or to prevent the recurrence of such unauthorized interventions in judicial proceedings by House Members, officers, or employees.

The SPEAKER pro tempore. The resolution constitutes a question of the privileges of the House.

The gentleman from Ohio [Mr. McEWEN] is recognized for 1 hour.

Mr. McEWEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, under House Rule IX, a question of privilege is anything "affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings."

In section 662 of the House Rules and Manual for the 102d Congress, which contains a summary of the precedents relating to questions of privilege, there are two particular instances which are similar to the question of privilege which I have raised today.

In the first instance, a resolution was offered on February 13, 1980, questioning the propriety of a response by an officer of the House to court subpoenas for papers of the House without notice to the House, and requiring a committee to investigate.

In the second instance cited in the precedents, a resolution was offered on March 22, 1990, alleging improper representation by counsel of the legal position of Members in a brief filed in the court and directing the withdrawal of the brief.

In both instances, the Speaker held that the misrepresentation of the position of the House, or judicial intervention without proper authorization, affected the rights and integrity of the House and therefore raised a legitimate question of House privileges.

Today we have before us yet another instance of a judicial intervention by an employee of the House claiming to represent the position of the House through one of its committees when in fact neither the House nor the committee involved had authorized the investigation nor the judicial intervention by the employee.

On January 19, 1992, the chief counsel of the House Committee on Foreign Affairs wrote to a Federal district judge in New York requesting a reduced sentence for a convicted arms dealer on grounds that he had cooperated in an on-going investigation by the committee into the so-called October Surprise.

Based on this representation, the judge reduced the sentence from 13 months to the 8½ months already served based on "the desirability of assisting Congress." The judge went on to make clear that the arms dealer would have received a longer term of imprisonment, and I quote, "were it not for the intervention of Congress."

The only problem with all of this Mr. Speaker, other than the unprecedented intervention by a self-appointed agent

of Congress in a judicial sentencing proceeding, is that the so-called on-going investigation by the Committee on Foreign Affairs into the October Surprise matter had not been authorized by the Congress or the committee so represented.

Neither, for that matter, had the committee authorized its chief counsel to ask the court to reduce the sentence of the convicted arms dealer. The fact is, the committee was not even made aware of any evidence obtained from the arms dealer or that the chief counsel was bargaining for a reduced sentence in return for such information. This kind of unauthorized activity by a committee employee is one of the most outrageous things I have ever witnessed since coming to this Congress 11 years ago. And other Members who have been around here much longer than I have voiced similar sentiments.

Mr. Speaker, nothing affects the rights, privileges, dignity and integrity of the proceedings of the House more than the misrepresentation of the position of the peoples House, especially when that misrepresentation takes place before a Federal district court.

But what is especially galling in this particular case is claiming to represent the interests of the House on a matter on which the House has not yet spoken, and that authority is used to spring a convicted felon from jail.

At a time when the Congress is already reeling from low public approval ratings, what could hurt more than the appearance that we are springing crooks for rumors? This isn't an arms for hostages scandal; It's an arms dealers for hogwash scandal. And this action has put the House of Representatives right in the middle of the slop.

Mr. Speaker, let us just presume for a moment that this convicted felon just might have some information of interest and value to this House. Even if that were the case, that is no justification for one to unilaterally cut a deal on behalf of the House to free a crook from prison sooner than he otherwise would have served.

If the felon has such information, there are ways for the House to legitimately obtain it without resorting to such shady deals. We have committees with subpoena authority. And more importantly, Democrats are seeking to railroad creation of a special task force to investigate this very matter and give it subpoena authority.

If this convicted arms dealer refuses to cooperate with a duly constituted entity of this House acting under proper authority and procedures, we would have every right to find him in contempt and enforce that in the courts. Instead of a shorter prison sentence, he would be facing a longer one.

If anything, such unilateral action has made it more difficult for a proper body of this House to obtain sworn testimony. The integrity of our proceed-

ings and our ability to discover the truth have been interfered with and threatened by such loose cannons on our deck, acting on their own.

Mr. Speaker, the resolution I have offered today as a question of the privileges of the House, after reciting the facts of the situation in the preamble, directs the Bipartisan Legal Advisory Group of the House to inquire into the facts and circumstances surrounding this judicial intervention and report back to the House its findings and recommendations.

Specifically, it calls on the legal advisory group to report back to us at the earliest practicable date on any actions taken or recommendations it has to address the immediate situation, as well as any recommended policies for the future conduct of House Members, officers or employees involving judicial proceedings.

The bottom line is that we cannot allow people claiming to represent the House or its committees to take unauthorized actions that misrepresent the position of this House.

This is especially true when those actions are potentially embarrassing and can bring this body further shame, dishonor, and disrepute in the eyes of the citizenry.

And nothing could be more embarrassing than negotiating shady deals with the dregs of the earth to spring them from prison.

Those who lie down with dogs get up with fleas; and in the process, they cover us with sleaze. We don't need that in this House. Let's do the right thing and adopt this resolution so that corrective action can be taken immediately and we can hopefully avoid such embarrassments in the future.

□ 1550

Mr. Speaker, I reserve the balance of my time, and, out of respect and comity to the socialist Democrat side of the aisle, I yield 10 minutes to the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Speaker, I wonder if the gentleman from Ohio [Mr. McEWEN] would yield to some of the other Members on his side.

Mr. McEWEN. I would be pleased to do that.

Mr. Speaker, I yield 5 minutes to the ranking member of the Committee on Rules, the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Ohio [Mr. McEWEN] for yielding this time to me. Let me commend the gentleman from Ohio, one of the most astute Members of this House when it comes to the very complicated rules of the House, on offering this privileged resolution regarding an unauthorized and misrepresentative court intervention by a House employee.

Mr. Speaker, it seems to me that the gentleman from Ohio [Mr. McEWEN]

has put his finger on two very important institutional issues in this resolution, one relating to unauthorized investigations, and the other relating to misrepresenting the position of the House in a judicial proceeding.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Florida [Mr. FASCELL], my very good friend.

Mr. FASCELL. Mr. Speaker, the gentleman from New York [Mr. SOLOMON] and the gentleman who preceded him have used some very strong language on allegations which lay the predicate for making this resolution a privilege. I just wanted to point out that on the record those facts are not proven, they are mere allegations being made, and they are totally unsubstantiated.

Now let me ask a question, if the gentleman will be kind enough, and I will not try to use up his time. I will just get to the point very quickly.

The Committee on Foreign Affairs is duly constituted in this House to carry out its functions; is it not?

Mr. SOLOMON. Mr. Speaker, let me just say to the gentleman from Florida [Mr. FASCELL] that I intend to cite the rules of the House, and, when I use terms like "underauthorized" or "misrepresentative court intervention," I truly believe they are. I do not cast any aspersions on the gentleman. I believe these actions are in violation of the rules of the House, and I intend to prove it here in a few minutes.

Mr. FASCELL. I appreciate that. I just wanted to be clear at this point that, first, the Committee on Foreign Affairs is duly constituted; second, I was duly elected chairman of that committee; third, that I directed and authorized my general counsel to do what he did under my direction.

Mr. SOLOMON. I do not know about the last one, but I can certainly attest to the first two because I served with the gentleman for 6 years. I certainly know he is a very good chairman of the Committee on Foreign Affairs.

Mr. FASCELL. I thank the gentleman. I just wanted to get it straight that it is one thing to allege misrepresentation and lack of authority. That is a factual matter. I just wanted to be here as chairman to take the responsibility to say to the House, to my distinguished colleagues who are supporting this resolution, "You don't need an inquiry. I authorized what was done. It was my staff member who did it under my direction."

Mr. SOLOMON. Mr. Speaker, if that is the case, I would say the gentleman probably erred, but certainly he would not have if he knew better.

Mr. FASCELL. One more thing.

Mr. SOLOMON. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Speaker, if the gentleman will read the letter in the RECORD so I do not have to read it, it

does not request the judge to reduce the sentence.

Now the gentleman who spoke before said this was a direct request to reduce the sentence.

Mr. SOLOMON. Mr. Speaker, I thank my very good friend, the gentleman from Florida [Mr. FASCELL], the chairman of the Committee on Foreign Affairs who I have the greatest respect for, and his staff as well.

Mr. MCEWEN. Mr. Speaker, let me point out here that by request of the chairman of the committee I would like to have inserted into the RECORD at this point a letter in which it says, "I would, therefore, request that Mr. Stoffberg's cooperation be taken into consideration by you in the determination of his sentence," which is the purpose of the resolution. That is the purpose for which we have come, and that is the statement which causes the concern.

The letter in its entirety is as follows:

COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, January 10, 1992.

Hon. JACK B. WEINSTEIN,
U.S. District Court Judge, U.S. District Court,
Eastern District of New York, Brooklyn,
NY.

DEAR JUDGE WEINSTEIN: Mr. Dirk Francois Stoffberg has to date provided the House of Representatives Committee on Foreign Affairs with substantial assistance in an ongoing investigation. It is expected that this substantial assistance will continue into the future.

In addition, Mr. Stoffberg has offered to have his testimony preserved by deposition. He has also agreed to testify at any open or closed Congressional hearing if and when requested to do so. Our investigation pertains to the question whether the 52 Americans taken captive in Iran were held past the election of 1980 in violation of any U.S. laws. This issue is commonly referred to as the "October Surprise."

Although Mr. Stoffberg's cooperation may not lead to any criminal action, the information which he has voluntarily provided to us has already been helpful and, to some extent, has been corroborated by other evidence. I would, therefore, request that Mr. Stoffberg's cooperation be taken into consideration by you in the determination of his sentence.

I would be pleased to discuss the matter of Mr. Stoffberg's cooperation with you or your law clerk at any time before Mr. Stoffberg's sentencing.

Sincerely yours,

R. SPENCER OLIVER,
Chief Counsel.

Mr. SOLOMON. Mr. Speaker, reclaiming my time, let me read the judge's answer to that letter. It says, quote, "I treat it as the equivalent of a request for a downward departure. The guidelines do not provide for request by Congress or by the court."

My problem with this concerns the fact that we have to operate under the rules of the House. After all, that is what we swear we will do.

Last year I was asked by our Republican leader to research and report on a very similar instance in which a House

committee chairman requested information in what he claimed was a committee investigation, even though it had not been formally authorized by the committee involved. In effect it was a unilateral inquiry by the chairman of one of our committees. The conclusion of that research into House rules and precedents was that a committee's investigation must be authorized by a committee.

Mr. Speaker, that was not done in this instance; the chairman is here, and he will say so.

Committee investigative authority is derived from House rule XI, clause 1(b), which reads as follows:

Each committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under rule X * * *.

Mr. Speaker, my colleagues know what rule X is, and clause 2(m) of rule XI empowers committees and subcommittees to authorize subpoenas in the conduct of investigations by a majority vote, a majority being present at the time. The rule goes on to authorize committees, but not subcommittees, to delegate subpoena authority to the chairman, and in clause 2(k) of rule XI we have a whole set of investigative hearing procedures which were established back in 1955 as the code of fair procedures which we have followed consistently for almost 40 years.

As Committee on Rules chairman at the time, Howard Smith, explained, the purpose of that provision was to abolish the custom of one-man subcommittees. We today are trying to do away with those one-man subcommittees out of fairness.

For that reason, Mr. Speaker, nowhere do House rules permit a committee to delegate to a chairman the authority to initiate and conduct an investigation. It is not allowed under the rules of this House. Under the rules it is the committee that must determine whether an investigation is necessary or is appropriate in the exercise of that responsibility.

So, Mr. Speaker, it does not matter in the present case whether the chairman of the Committee on Foreign Affairs or one of its subcommittee chairmen claimed to have approved the chief counsel's letter. Neither person is competent under House rules to have the authority to authorize the investigation which the letter purports is now going on. Nor, for that matter, can the full committee, or any subcommittee chairman, act on behalf of the committee, or the House, in intervening in a judicial proceeding.

House rules are quite explicit: The House must approve, for instance, the enforcement of subpoenas or contempt citations in the courts. And with respect to the granting of immunity to a witness before a House committee or subcommittee in exchange for testi-

mony, which is similar to what is happening in this instance, a two-thirds committee vote is required to request that kind of a court order.

Mr. Speaker, that gentleman from Indiana [Mr. HAMILTON], my good friend who I served with for years on the Committee on Foreign Affairs, in a letter to the gentleman from Illinois [Mr. HYDE] attempts to justify this court intervention by the committee chief counsel on the grounds that such letters are routinely provided by congressional committee counsels and others.

□ 1600

Mr. Speaker, I think it is one thing for Members to write as individuals vouching for the character of a person involved in a sentencing procedure. I have done that myself and I will continue to do that. But it is quite another matter for a chairman or counsel to write on behalf of a committee investigation which has never been authorized by the committee. This one never has been authorized by the committee. That is a very important difference, and it does raise some very serious questions about the rules of this House.

In conclusion, Mr. Speaker, the question of privilege raised by the gentleman from Ohio [Mr. MCEWEN] goes to the very heart of this institution's rights, its dignity, and its integrity. The perception that this House is somehow springing violent criminals from jail in exchange for testimony of dubious value will not sit well with the American people and do great harm to this body's reputation. God knows, we have done enough harm to it in recent months.

This resolution simply calls on the Speaker's bipartisan legal advisory group to look into the matter and get back to us with its findings and recommendations so that we might avoid any repetition of such unauthorized, and I will repeat myself, misrepresentative court interventions in the future.

Now, I would say to the gentleman from Florida [Mr. FASCELL], that explains our position.

Mr. FASCELL. Mr. Speaker, I hear the gentleman's position.

The SPEAKER pro tempore (Mr. MURTHA). Does the gentleman from Indiana [Mr. HAMILTON] wish to seek time?

Mr. HAMILTON. Mr. Speaker, may I inquire how much time the gentleman has remaining?

The SPEAKER pro tempore. Thirty-six and one-half minutes.

Mr. HAMILTON. Mr. Speaker, my understanding was that the debate here was for 40 minutes and that they were to have 30 minutes and we were to have 10 minutes. Do I misunderstand?

The SPEAKER pro tempore. Under the rule the gentleman was recognized for 1 hour, but he may want to yield back some time.

Mr. HAMILTON. Mr. Speaker, may I inquire of the gentleman, was there not an understanding?

Mr. MCEWEN. Mr. Speaker, I will be pleased to do whatever is most accommodating to the gentleman. How much time does he desire?

Mr. HAMILTON. I appreciate the gentleman's willingness to accommodate. It was my understanding that he was going to take 30 minutes, and since he controls the time, he was going to yield 10 minutes. That is acceptable to us. I think I can say what I want to say in 10 minutes.

Mr. MCEWEN. Then the gentleman has no other speakers, and I should go ahead and consume the rest of my time?

Mr. HAMILTON. We have no others.

Mr. MCEWEN. I will do my utmost to hold those within 30 minutes.

Mr. HAMILTON. If the gentleman would yield, I would prefer that my time be toward the end. I realize the gentleman has the right to close.

Mr. MCEWEN. I will go ahead and consume my time, if I may.

Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I appreciate the gentleman yielding. I think that by now the gentleman on the other side must understand that this incident is very troubling to a number of us. I applaud the gentleman's resolution. I support it. I believe that if this resolution is struck down it sets a very, very dangerous precedent for all of us in this body in the future.

I will go further than other speakers and say that throughout my career in the U.S. Congress, as a former prosecutor before I came here, I have tried to keep my hands off the judicial process. I have tried not to interfere in the sentencing procedures after a person was convicted of a crime, because I did not believe that the legislative branch should intermingle with the judicial branch, and I did not believe that the administration of justice was properly served if Members of Congress interceded on behalf of people charged with having broken the law. I think that is probably a pretty good rule.

I think Members of Congress should not be contacting a judge at sentencing time. Not only does it tend to interfere with the administration of justice as public officials impose their own viewpoints on otherwise impartial judges, but it protects the Member of Congress. It protects the public official.

If one does not call up a judge or if one does not send a letter in support of a convict, one cannot find out that he has done something improper. One cannot read about it in the newspaper. One cannot be charged with unethical conduct, if in fact the person that is free commits some horrible offense.

Mr. FASCELL. Mr. Speaker, will the gentleman yield 1 second?

Mr. LIVINGSTON. I would be happy to yield to the gentleman.

Mr. FASCELL. Is it not true that the letter is spread on the RECORD?

Mr. LIVINGSTON. The letter is on the RECORD.

Mr. FASCELL. Is it not true that the judge is the person who makes the decision?

Mr. LIVINGSTON. It is true, sir. The gentleman is correct. In fact, the sentencing guidelines provide that law enforcement officials or family can write the judge a letter at any time. The guidelines, though, do not say that a Member of Congress or a member of the staff of the Congress can write letters. In fact, if you read the entire guidelines, they imply that we should not be writing.

I am concerned that once we start, once any Member of Congress, once any staff member of any committee starts writing letters to judges saying, "Let this guy out early," and "Let that guy out early," and the judges start saying, "Well, if the Congress controls my salary, maybe I had better pay attention to them," then I think we are in big trouble, and the judicial process, the criminal process of this country is in danger when officials can tamper with the judicial system, and in this case that is exactly what happened. I know that he never intended this to happen. But his is a situation in which a staffer, without benefit of—

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. LIVINGSTON. Mr. Speaker, I will not yield to the gentleman.

Mr. FASCELL. Mr. Speaker, I must ask that the words be taken down. I have let this thing go far enough on these wild allegations. Let us get into a debate on the subject matter.

The SPEAKER pro tempore. Is the gentleman asking that the words be taken down?

Mr. FASCELL. Yes, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the words.

Does the gentleman wish to withdraw the words?

Mr. LIVINGSTON. Mr. Speaker, if I cannot debate this issue on the floor, perhaps I should withdraw it, because I do not want to spend the Members' time on this issue. I do not know what it is I am alleged to have said.

The SPEAKER pro tempore. Does the gentleman ask unanimous consent to withdraw his words?

Mr. LIVINGSTON. Which words, Mr. Speaker?

The SPEAKER pro tempore. The gentleman will suspend until the clerk reports the words.

The Clerk will report the words.

Mr. FASCELL. Mr. Speaker, I can refresh his memory. His words were: tampering with the judicial system.

Mr. LIVINGSTON. Mr. Speaker, I insist that the words be left on the

record because that is exactly what happened in this instance.

□ 1610

The SPEAKER pro tempore (Mr. MURTHA). The Members will suspend. The Clerk will report the words.

The Clerk read as follows:

The criminal justice of this country is in danger when elected officials can tamper with the judicial system. And in this case, that is exactly what happened.

The SPEAKER pro tempore. The Chair will rule that since the gentleman from Louisiana is generically speaking and not specifically alleging improper conduct by any individual Member, the words are in order, in the context of this resolution.

Mr. LIVINGSTON. Mr. Speaker, since this is coming out of my time, I ask unanimous consent to get a few more minutes for replacement of the time.

The SPEAKER pro tempore. The time is controlled by the gentleman from Ohio [Mr. MCEWEN].

Mr. LIVINGSTON. Mr. Speaker, in order that the gentleman might be satisfied, I would amend my words "elected officials," to "officials." I will withdraw the word "elected."

The SPEAKER pro tempore. Without objection, the RECORD will be corrected.

Mr. FASCELL. Mr. Speaker, reserving the right to object, that is not what I am objecting to. As a matter of principle, I do not want anybody interfering in the courts either. But to say this case represents a tampering with the judicial system, I find highly offensive and highly irregular. When you do something on the record that is permissible to be done, you are not tampering. You may disagree with it, but it is not tampering.

Mr. LIVINGSTON. Mr. Speaker, I was about to explain why I believe that it is. I would like to get into the facts on this case.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. LIVINGSTON]?

There was no objection.

The SPEAKER pro tempore. Without objection, the word "elected" will be removed from the RECORD.

PARLIAMENTARY INQUIRY

Mr. DERRICK. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DERRICK. Mr. Speaker, the gentleman from Louisiana [Mr. LIVINGSTON] said later, after the motion was made, that he specifically meant in this case. I would like to take his words down on that and see if he was not specifically referring to the gentleman.

Mr. LIVINGSTON. Mr. Speaker, if the gentleman from South Carolina [Mr. DERRICK] is asking for a parliamentary inquiry, I do not yield for

those purposes right now. I would like to proceed.

The SPEAKER pro tempore. Debate has intervened. In the regular order, the gentleman from Louisiana [Mr. LIVINGSTON] may proceed.

Mr. LIVINGSTON. Mr. Speaker, what we have here is a situation where an unelected staffer, either with authority of Members of Congress or not, writes a U.S. district judge and tells him that a gun runner has cooperated in the past and is likely to cooperate in the future, and that that set of facts or sequence of circumstances should be considered in the final sentencing.

Mr. Speaker, as I understand it, Mr. Stoffberg, the gun runner, was already under the Federal sentencing guidelines subject to get between 8 and 14 months in prison for his conviction.

The unelected staffer did not have a vote in the subcommittee, he did not have a vote from the full committee, he did not have a vote from the House, he did not have a vote from the Senate, he did not have a vote from the President of the United States.

All he did was, with the mantle of authority vested in him by some unnamed and undisclosed Member of Congress, write a Federal judge and say consider what this convicted felon has done and let him out early if you can.

The judge then took this letter of authority from a staffer of the U.S. Congress and said, "Well, if the Congress is interested in this man, I will not sentence him according to the guidelines between 8 and 14 months. I will now, since he has already served just over 8 months, sentence him under a lower guideline," which provided for mitigation of sentences, and he let him out right away.

Now, the man was released. Here was a fellow convicted of violating the U.S. law, possession of guns, and he was released.

I do not worry about this guy. I am sure he is back in South Africa now, because he was a South African. He is probably long gone.

But what does this say for the future? If this case is allowed to stand, who is going to let out the next murderer, who is going to let out the next rapist, because they "might" give valuable information to the U.S. Congress?

Why doesn't the U.S. Congress stand accountable for the lawlessness and for the problems that face this country, when we violate our own laws?

Mr. WEISS. Mr. Speaker, will the gentleman yield?

Mr. LIVINGSTON. I yield to the gentleman from New York.

Mr. WEISS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, first I am sure that the gentleman must have heard the distinguished chairman of the Committee on Foreign Affairs say here on the record that he, in fact, authorized the staff member to do what he did.

Second, I wonder if the gentleman is aware of the fact that the assistant U.S. attorney at the sentencing procedure told the judge that he had no objection to the defendant being given time served, so that that letter had no relevance as far as the U.S. attorney was concerned?

Mr. LIVINGSTON. Mr. Speaker, reclaiming my time, I will tell the gentleman from New York [Mr. WEISS] the assistant U.S. attorney did object, contrary to the assertions in the letter of the gentleman from Indiana [Mr. HAMILTON].

Mr. Speaker, we have a letter which I would like to introduce in the RECORD at this time from Mr. Lee Rawls, another assistant U.S. attorney general, which says in effect, "Any characterization of the Department's position as having assisted Mr. Oliver in this matter, or raising no objection, is disingenuous."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. LIVINGSTON]?

There was no objection.

The text of the letter referred to is as follows:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, February 4, 1992.

HON. HENRY J. HYDE,
Member of Congress, Washington, DC.

DEAR CONGRESSMAN HYDE: This letter responds to your request that we inform you of the discussions between the Department of Justice and a representative of the House Committee on Foreign Affairs, R. Spencer Oliver, concerning Mr. Oliver's January 10, 1992, letter to Judge Jack R. Weinstein of the United States District Court for the Eastern District of New York in the matter of the sentencing of 91 CR 524 (JRW) in *United States v. Dirk Stoffberg*.

I have been informed that there were conversations between an Assistant United States Attorney (AUSA) in the Office of the United States Attorney for the Eastern District of New York and Mr. Oliver on the 9th and 10th of January 1992, concerning Mr. Oliver's intention to send a letter to Judge Weinstein. The AUSA contacted Mr. Oliver after the defense attorney informed Judge Weinstein on several occasions by letter and in court that the defense counsel anticipated that Counsel for the House Foreign Affairs Committee would provide the Judge with a letter concerning Mr. Stoffberg's cooperation. The AUSA was concerned that the letter from the Committee Counsel not be misinterpreted as a letter falling under Sec. 5K1.1 of the Sentencing Guidelines which provides that upon motion by the prosecutor "... stating that the defendant has provided substantial assistance in investigation or prosecution of another person who has committed an offense ..." the court can downwardly depart from the otherwise applicable guideline range and thus reduce a defendant's sentence.

Initially, the AUSA was concerned that the Committee was interjecting itself into an unconnected federal criminal case without any investigation of Mr. Stoffberg's background or the crime for which he had been convicted in the Eastern District of New York. In addition, the AUSA was con-

cerned that Mr. Stoffberg had merely been interviewed on one occasion and that only a cursory effort had been made to corroborate the information which had apparently been provided Mr. Oliver. Finally, the AUSA was concerned that if the letter tracked the language of the Sec. 5K1.1 without the jurisdictional requirement for such a letter having been met, it would place the United States Attorney's Office in the position of having to object to it.

In the initial contact with Mr. Oliver, Mr. Oliver suggested that the United States Attorney's Office had attempted to frustrate the Committee's efforts by having Mr. Stoffberg's place of incarceration changed to one inconvenient to him. Mr. Oliver was assured that the U.S. attorney's Office had played no role in that matter. The AUSA then turned to the prospective letter from Mr. Oliver to the Judge and cautioned that it was inappropriate for a letter from Congress to track the language of Sec. 5K1.1.

On January 10, 1992, Mr. Oliver was again contacted by the AUSA and after discussing the matter, Mr. Oliver agreed to provide a draft of his letter to Judge Weinstein, which was then faxed to the United States Attorney's office. Mr. Oliver then made one minor modification in the letter requested by the AUSA, indicating that the information provided had been corroborated to some extent. Otherwise, however, the letter as sent to the Court remained unchanged and included language tracking Sec. 5K1.1—which the AUSA objected to, but which Mr. Oliver indicated was in the Committee's view not only appropriate but had been approved by high-ranking members of Congress.

At the January 14th sentencing hearing, the United States Attorney's Office argued that as a matter of law Mr. Oliver's letter did not qualify as a motion pursuant to Sec. 5K1.1 and should be considered by the Court only in fixing an appropriate sentence within the guideline range of 8-14 months. The Court, however, ruled that while only the prosecution can move under Sec. 5K1.1, Mr. Oliver's letter was in effect a Congressional request for clemency under Guideline Sec. 5K2.0. Judge Weinstein, over the government's objection, made a downward departure in the guideline range to 2-8 months and ordered Stoffberg's release since he had already served 8½ months.

This matter was appropriately handled by the Office of the United States Attorney for Eastern District of New York. Any characterization of the Department's position as having assisted Mr. Oliver in this matter, or raising no objection, is disingenuous. While any citizen has the right to communicate with a Federal Judge, the AUSA correctly asserted that only the Executive Branch law enforcement community is covered by the provisions of Sec. 5K1.1 of the Sentencing Guidelines.

I trust that this letter is responsive to your request.

Sincerely,

W. LEE RAWLS,
Assistant Attorney General.

Mr. WEISS. Mr. Speaker, they did not object to the time served provision.

Mr. MCEWEN. Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Ohio [Mr. MCEWEN] has consumed 20 minutes.

Mr. HAMILTON. Mr. Speaker, how much time does the gentleman have remaining?

The SPEAKER pro tempore. The gentleman from Ohio [Mr. MCEWEN] has 10

minutes remaining, according to the prior agreement that was made.

Mr. HAMILTON. Mr. Speaker, may I say to the gentleman from Ohio [Mr. MCEWEN] our understanding is the gentleman is going to take 30 minutes, and we will take 10 minutes. Is that the understanding of the gentleman?

Mr. MCEWEN. Mr. Speaker, I intend to reserve at least 5 minutes for my own time to close debate.

Mr. HAMILTON. Mr. Speaker, may I ask the gentleman if I may take my time immediately preceding his 5 minutes?

Mr. MCEWEN. Mr. Speaker, that will be fine. I will rely upon the Speaker to inform me when I have 5 minutes remaining.

PARLIAMENTARY INQUIRY

Mr. GEJDENSON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Ohio [Mr. MCEWEN] yield for a parliamentary inquiry?

Mr. MCEWEN. Mr. Speaker, I think it is up to the Chair.

Mr. GEJDENSON. Mr. Speaker, I always hear statements on the other side about fairness and evenhandedness. If I may clarify my understanding of the time the gentleman had for his motion, how did the gentleman divide the time?

Mr. MCEWEN. Mr. Speaker, I divided the time, which is completely within my authority as a privileged motion, to the maximum requested by the Democrats. I would be pleased to establish that as precedent for the rest of this Congress.

Mr. GEJDENSON. Mr. Speaker, would the gentleman like to give us more time?

Mr. MCEWEN. Mr. Speaker, if the gentleman desires more, I will be willing to amend the request because we have nothing to hide and nothing to fear from free and open debate.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. Cox].

Mr. COX of California. Mr. Speaker, I thank the gentleman from Ohio [Mr. MCEWEN] for yielding and commend him on his courage in bringing this to the floor. This is serious business.

Later during the course of business in this House we will debate and vote upon the question whether to authorize an investigation into the so-called October Surprise and whether to authorize the expenditure of taxpayer funds for that purpose.

Mr. Speaker, that has not happened yet. Yet we learn that majority staff on the Committee on Foreign Affairs has already commenced this investigation, and we are not certain based on representations from the majority side whether this has been done with the authorization of majority Members of Congress or not. But we know for a fact that no investigation has yet been authorized, that debate has not taken place in committee or on the floor of this House, and, as a consequence, this is a renegade investigation.

The majority staff has pretended to the status of the Congress itself. The chief counsel of the Committee on Foreign Affairs has fooled the U.S. district court into thinking he, a Democratic committee staffer, represented the committee itself. Let me quote from his letter. It is on letterhead that states at the top "102d Congress, Congress of the United States, Committee on Foreign Affairs, House of Representatives, Washington, DC."

Dear Judge Weinstein: Mr. Dirk Francois Stoffberg"—the convicted gun runner—"has to date provided the House of Representatives Committee on Foreign Affairs"—and that is, of course, not the case, they provided it to the staffer—"with substantial assistance in an ongoing investigation."

"Our investigation pertains to the question whether the 52 Americans taken captive in Iran were held past the election of 1980 in violation of any U.S. laws. This issue is commonly referred to as the 'October Surprise.'"

This is, of course, the investigation that we will soon debate, whether to authorize it.

"I would, therefore, request that Mr. Stoffberg's cooperation be taken into consideration by you in the determination of his sentence."

"I would be pleased to discuss the matter of Mr. Stoffberg's cooperation with you," which, of course, occurred.

Now, there is some question about whether this was a request for a reduction in sentence. The judge, in the first page of his order, says, and I am quoting Judge Weinstein now, "The case poses the question, can a request for clemency by Congress support a downward departure, in other words, a reduction, in the sentence."

□ 1620

The judge in his opinion expressly treated this intervention by a congressional staffer as an official request for clemency by the Congress.

The Legal Times says that this is absolutely unprecedented, their word "unprecedented." So who is this convicted criminal that has been sprung? Who is this felon, this international gun runner?

He conspired to bring over a thousand weapons into Chile in violation of United States laws and, according to articles in the press, he may be part of a crack hit squad involved in international assassination.

He fought extradition. Our agents, United States Government agents, trapped him in Germany. He fought the extradition back to New York at great taxpayer expense. We brought this man to court. His lawyer advised him to plead guilty because the evidence against him was so overwhelming. And as a result of this intervention, he served no further time in jail.

By the way, he refused to cooperate with the Department of Justice and

U.S. prosecutors to help them obtain convictions against the other conspirators.

Partisan ends ought not justify this kind of behavior. The partisan end here, of course, is character assassination against President Reagan.

In order to achieve that objective, majority staff has pretended to the status of investigators of the Department of Justice, the article 3 branch itself and the Congress itself. Partisan politics should not operate for the purpose of turning violent international criminals loose.

The majority has lost control of its staff. This institution is out of control. It has been kiting checks through the bank, dealing cocaine through the post office, and now springing dangerous international criminals. This has got to stop.

Mr. MCEWEN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, I think Mr. Oliver is off the hook. He was acting as the agent of the gentleman from Florida [Mr. FASCELL]. What he did was authorized by the chairman of the Committee on Foreign Affairs. So he is certainly not culpable of anything.

But I would ask the gentleman from Florida [Mr. FASCELL] whether he believes in comity, whether he believes in the rules of the House, whether he thinks it is appropriate or proper for one person unilaterally to authorize an intervention in a criminal case for the purpose of reducing the sentence of a convicted felon because he is going to cooperate or has cooperated with whom, not the Congress, not the committee, but with the gentleman from Florida [Mr. FASCELL], through his agent.

Now, in the Iran-Contra hearings, the gentleman will remember, when we granted immunity we voted on it. That was a question, should we do this, should we not? When one intervenes in an ongoing criminal case, does one not think propriety, comity, and absence of hypocrisy would dictate that one contact the gentleman from Michigan [Mr. BROOMFIELD]? I do not care about myself, but to unilaterally by yourself determine that you are the Congress and you have the authority to send your counsel in and intervene in an ongoing criminal case without any notice to us makes a mockery of bipartisanship.

It is an abuse of the rules, and it is the gentleman who says it was done under his authority. Why did you not sign the letter? Can you not elevate an intervention into a criminal sentence to the dignity of the Member's signature? Did the staff have the authority to do that?

Evidently you have given it to them, perhaps nunc pro tunc, perhaps not. I do not know.

The letter does not say. But all I know is Mr. Oliver is a powerful man.

I wonder what kind of immunity he granted to this person. We will learn about that later.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Florida, because the gentleman has some statements to make, I am sure.

Mr. FASCELL. Mr. Speaker, I am glad the gentleman finally picked on someone his size.

Mr. HYDE. The gentleman is vertically challenged, and I am gravitationally challenged.

Mr. FASCELL. Mr. Speaker, if the gentleman will continue to yield, is the Committee on Foreign Affairs duly constituted? We have majority staff. I have never been through this.

Mr. HYDE. And there are Republicans on that committee, too. I know the gentleman forgets that.

Mr. FASCELL. I understand that. You want me to run your staff now? Are you going to give me that authority?

Mr. HYDE. I just want to know what is going on.

Mr. FASCELL. All you have to do is ask.

Mr. HYDE. Consider this an ongoing inquiry for the rest of this term, as to what is going on.

Mr. FASCELL. It is about time we have had that kind of bipartisan offer.

I just wanted to point out that as a preliminary matter their testimony is there. The task force, when it is constituted, will decide whether or not it is worth a deposition.

Mr. HYDE. We would have liked the opportunity to decide whether or not it was worth a reduction in his sentence.

Mr. HAMILTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we really had some extraordinary language here this afternoon. What I would like to do is to begin with as straight a statement of the facts as I understand them and as I am able to make without a lot of pejorative language.

Mr. Speaker, during the past week, a letter written by Foreign Affairs Committee Chief Counsel Spencer Oliver to U.S. District Court Judge Jack B. Weinstein has generated controversy and several expressions of concern by Members of the minority.

Congressman HYDE conveyed to me his own concerns about Mr. Oliver's letter in a letter dated January 27. I responded on January 31. With his consent, I would ask that our correspondence be entered into the RECORD at this point.

I would like to try to explain how the letter written by Mr. Oliver came to be, and to address some of the concerns raised by Mr. HYDE and several of our colleagues.

Members of the Foreign Affairs Committee have been operating under uncertain and ambiguous circumstances

since the Speaker announced a formal investigation of the October Surprise allegations last August, and it was agreed that a special committee task force to investigate these allegations would be formed. During the past 6 months, no one really has had the power to act for the task force. Yet information concerning these allegations has continued to emerge and issues clearly within the jurisdiction of the Committee on Foreign Affairs have arisen. During much of this period, we have also been out of session.

In the months since the Speaker's announcement, many private citizens have approached congressional offices with information they claimed supported or refuted key October Surprise allegations. A large amount of this unsolicited material has come to Members and staff of the Committee on Foreign Affairs, which has been publicly identified as the home of the proposed House task force.

Committee members and staffers have not conducted depositions or taken any actions that should only be taken by a fully empowered task force. People approaching the committee have usually been told that the information they provided would be turned over to the House task force, when and if it is empowered.

Spencer Oliver is counsel to the Committee on Foreign Affairs and has served as a contact person for information relating to these allegations. In this capacity, Mr. Oliver has been approached by people outside the Government with information concerning these allegations. Mr. Oliver has spoken to me periodically about information he judged important or time-sensitive.

Late last November, Mr. Oliver was contacted by the attorney representing Mr. Dirk Stoffberg, a South African in detention before trial for illegal arms sales. The attorney told Mr. Oliver that Mr. Stoffberg had information relating to the October Surprise allegations and wanted to pass this information on to Congress.

In mid-December, Mr. Stoffberg's attorney informed Mr. Oliver that Mr. Stoffberg had pled guilty and might be released soon. It was possible, therefore, that Mr. Stoffberg might be out of jail, and perhaps out of the country—and therefore less accessible to congressional investigators—before Congress reconvened and a House task force could be formally empowered.

In view of this time constraint Chairman FASCELL and I agreed that Mr. Oliver should talk with Mr. Stoffberg before his release. On the basis of such a meeting, the House task force, should it be empowered, could decide whether a formal deposition from Mr. Stoffberg would be necessary.

Mr. Oliver met with Mr. Stoffberg on two occasions. The first meeting took place on December 26, 1991. Mr.

Stoffberg told Mr. Oliver that he met William Casey in London in the summer of 1980, and that Mr. Casey had discussed the hostages and had sought Mr. Stoffberg's assistance in arranging an arms deal with Iran. About 10 days later, Mr. Stoffberg's attorney sent to Mr. Oliver documents which, I am told, appear to corroborate some of Mr. Stoffberg's statements about his whereabouts in 1980.

On January 10, 1992, Mr. Oliver briefed me on the information Mr. Stoffberg had provided. Mr. Oliver also told me that Mr. Stoffberg's attorney had requested that a letter explaining Mr. Stoffberg's cooperation with the committee be sent to U.S. District Court Judge Jack Weinstein, who would be sentencing Mr. Stoffberg. Mr. Oliver discussed the appropriateness of these letters with experienced outside counsel, including Larry Barcella, the attorney I intend to appoint chief counsel for the task force, if it is empowered. Chairman FASCELL agreed that a letter describing Mr. Stoffberg's cooperation could be sent, and I concurred.

Mr. Oliver sent a letter to Judge Weinstein on January 10. When he sentenced Mr. Stoffberg several days later, Judge Weinstein cited Mr. Stoffberg's cooperation with the Foreign Affairs Committee as a factor contributing to his decision to impose a sentence of time served, which was a few months shorter than the maximum permitted for Mr. Stoffberg's offense.

Mr. Oliver met a second time with Mr. Stoffberg on January 20. He was joined in that meeting by Congressman TED WEISS, a member of the Foreign Affairs Committee who has been asked to serve on the proposed task force. Mr. Oliver had been told by Mr. Stoffberg's attorney that Mr. Stoffberg was likely to be released from custody January 21, and would probably leave the United States shortly thereafter. Congressman WEISS and Mr. Oliver tape recorded this meeting. A transcript of this second and last meeting with Mr. Stoffberg is now being prepared.

So far as I am aware, these are the facts relating to Mr. Oliver's letter. I would now briefly like to address some of the concerns and objections raised by Mr. HYDE and other members of the minority.

First, House rules have not been violated in this matter. Whether or not a task force is formally empowered today, under rules X and XI of the House of Representatives, the Foreign Affairs Committee has jurisdiction over numerous aspects of the October Surprise allegations. The meetings with Mr. Stoffberg and the letter to the sentencing judge were consistent with the Rules of the House.

Second, so far as I am aware, no Justice Department official has to date expressed to me, or to the committee, any objection to Mr. Oliver's letter.

The U.S. attorney's office in New York, which prosecuted Mr. Stoffberg, did not object to the letter. In fact, I have been informed, members of the U.S. attorney's office in New York made several editorial suggestions after seeing a draft of the letter and said during Mr. Stoffberg's sentencing hearing that they did not view Mr. Oliver's letter as a request for leniency. I am aware of no objections to the letter by Justice Department officials here in Washington.

Furthermore, I am told by those who have read the sentencing proceedings that the U.S. Attorney's office neither asked Judge Weinstein to give Mr. Stoffberg a longer sentence nor objected to the length of the sentence the judge handed down. The U.S. attorney's office did not appeal the sentence.

Third, it is important to recognize both the time pressures associated with the Stoffberg matter and the institutional limbo in which the Foreign Affairs Committee has been operating during the past 6 months. There was no guarantee that the information Mr. Stoffberg claimed to possess would be available by the time the House task force could be empowered, because Mr. Stoffberg's departure from the country appeared imminent. It was Chairman FASCELL's and my judgment that an effort should be made to collect whatever information Mr. Stoffberg had, while he was still accessible. Nobody had the power of subpoena or the authority to depose Mr. Stoffberg. I myself have not seen any of Mr. Stoffberg's statements or documents. These statements and documents can only be evaluated by the task force, empowered to issue subpoenas and place witnesses under oath, and with the participation of both the majority and the minority.

Fourth, letters of the kind written by Mr. Oliver are, I am told, routinely provided in such cases. Government attorneys have frequently written to judges prior to sentencing. I am advised by the office of the House general counsel that congressional committee counsels have also written letters of this kind previously.

Fifth, I would like to assure members of the minority that neither of Mr. Oliver's two meetings with Mr. Stoffberg can be construed as depositions. They were informal discussions. The resolution before us today would empower the House task force to take depositions. Minority members or staffers of the task force must clearly have the opportunity to participate in any depositions sought by the majority—and vice versa. In the absence of a resolution adopted by the House, Foreign Affairs Committee staff have no power to depose anyone.

Sixth, there has been no effort to conceal Mr. Stoffberg's statements from members of the minority. Mr. Oliver will turn over to all members of the task force all relevant documents on

this matter, including the transcript of the second meeting with Mr. Stoffberg, the documents provided by Mr. Stoffberg's attorney, and the transcript of Mr. Stoffberg's sentencing hearing. I myself have not seen any of these materials. I look forward to reviewing them.

Seventh, my first knowledge of the minority's concerns on this matter came not from direct contact, but from the press. No member of the minority personally contacted me, Chairman FASCELL, or Spencer Oliver to determine whether Mr. Oliver's letter was authorized. After I received Mr. HYDE's letter, I discussed this matter with him.

I hope these comments will help clear up any misunderstanding about this matter.

Mr. Speaker, we may soon be given a serious task. We need to put the discussions and debates of recent months behind us and begin to evaluate the truth of these allegations. It is in nobody's interest—not the former hostages, not those accused of misdeeds, and not those of us who have been asked to investigate this matter—to see a formal inquiry of these allegations delayed any further. It remains my intention to see this task accomplished in as competent, cooperative, and expeditious a manner as possible. I am prepared to work with Mr. HYDE and other members of the task force in that spirit and I have told them so.

□ 1630

Mr. MCEWEN. Mr. Speaker, will the gentleman yield?

Mr. HAMILTON. I am happy to yield to the gentleman from Ohio.

Mr. MCEWEN. Mr. Speaker, I would say on behalf of the minority that knew absolutely nothing about these statements until they read them in the paper, I think it is unfair for the gentleman to imply that they are available to minority when the minority has never been told they even existed until they were leaked to the press.

Mr. HAMILTON. I myself have not seen any of these documents, and like the gentleman, I look forward to reviewing them. They will be available to the minority as soon as they are available to the majority. I have not seen them myself. The transcripts I think are in preparation now. I have not reviewed this material. So far as I know, no members of the task force have reviewed it, and the gentleman will have access to it as soon as the chairman of the task force has access to it, assuming that the task force is in fact empowered.

Mr. MCEWEN. Mr. Speaker, I yield 30 seconds to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I was just out and talked to representatives of the Justice

Department who are just outside the door, who tell me it is patently false to represent that the Attorney General and Justice Department were not willing to see this letter go forward. The Justice Department opposed the letter. They said that they worked with Mr. Oliver asking him not to write such a letter. And in addition, they have a letter to Mr. HYDE, which has already been put in the RECORD, that said that any suggestion otherwise is disingenuous.

Mr. MCEWEN. Mr. Speaker, I yield myself the remaining amount of time, and wish to bring us back to the resolution before us.

All I am asking is for the bipartisan legal advisory group, which is made up of three Democrats and three Republicans, to review this type of activity so that in the future there could be some guidelines whereby people claiming to represent the Congress of the United States could meet those restrictions.

The statement of the judge was this, that were it not for a desire to reach comity between the independent branches of Government, suggested the desirability of assisting Congress in its important work where there is no strong conflict of interest with the court's sentencing responsibilities, that were it not for the intervention of Congress, this defendant would have been sentenced to a longer term of imprisonment because he threatened violence during the course of his criminal activity.

Mr. Speaker, that is the cause before us, and I wish to indict no one. I wish to make sure that this sort of activity does not sweep over us again.

Repeatedly we have been told, and from now on until 9 o'clock tonight we will be told 10,000 times in this well that this investigation has never been authorized. We need a select task force to begin an October Surprise investigation because there never has been one. That is what they will say over the next 3 to 4 hours, and yet what we have heard for the last 40 minutes is that indeed there was one.

Mr. Speaker, I will insert in the RECORD at this point a statement by Mr. WILLIAM BROOMFIELD, who said:

*** Let me say that to my knowledge the Foreign Affairs Committee has never commissioned a formal investigation of this matter. From time to time, however, the minority has become aware, usually from the press, that the majority Members and staff have been undertaking various investigatory activities.

The letter referred to follows:

COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, February 4, 1992.

Hon. BOB MCEWEN,
U.S. House of Representatives,
Washington, DC.

DEAR BOB: I have received your letter of January 31 to Chairman Dante Fascell of the Foreign Affairs Committee in which you request access to all Committee files pertain-

ing to an investigation of the so-called "October Surprise" matter, and in particular the Committee's involvement with an individual named Dirk Stoffberg. This request was made pursuant to Rule XI.2(3)(2) of the House of Representatives, which entitles any member of the House to have access to all committee records and files.

First of all, let me say that to my knowledge the Foreign Affairs Committee has never commissioned a formal investigation of this matter. From time to time, however, the Minority has become aware, usually from the press, that Majority members and staff have been undertaking various investigatory activities.

I understand that the Committee is preparing to respond to your request by providing you access to certain files in possession of the Committee and its subcommittees. The Minority will participate fully in any arrangements made by the Majority for this purpose.

In addition, the Minority is prepared to provide you complete access, at your convenience, to any related records in our possession. Expecting that the October Surprise would continue to be of Congressional interest, the Minority staff has informally compiled some files on this matter. In conformance with Rule XI, I am prepared to offer you complete access to these files, which contain both publicly available information and material prepared by the staff, without any exception whatsoever.

Thank you for your interest in this matter. I agree that access to all the information available to Congress, including the complete files of the Foreign Affairs Committee, is extremely important to all the members of the House as they decide whether to authorize this politically sensitive investigation.

Sincerely,

WILLIAM S. BROOMFIELD,
Ranking Republican Member.

Mr. Speaker, I include that along with the letter on the Foreign Affairs Committee stationery in which they said there was an ongoing investigation.

One final point. In the statement by the defense attorney, the defense attorney said in the sentencing hearing that the reason that this gunrunner has not cooperated with the Justice Department was because "congressional investigators don't want this information out. It's their investigation. and that's it."

So, therefore, we have people who have not brought any knowledge to the Republicans under any circumstances conducting their own investigation, making their own representations, designed to have it leaked to no one, least of all Members of Congress on this side of the aisle or to the Justice Department.

□ 1640

Mr. Speaker, I am only asking this: Let the Democrats that control the bipartisan advisory group set some guidelines for this activity.

Mr. Speaker, I move the previous question on the resolution.

MOTION OFFERED BY MR. GEPHARDT

Mr. GEPHARDT. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER pro tempore. (Mr. MURTHA). This is a preferential motion. The Clerk will report the motion.

The Clerk read as follows:

Mr. GEPHARDT moves to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. GEPHARDT].

The question was taken; and on a division (demanded by Mr. WALKER) there were—yeas 13, nays 8.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 249, nays 160, not voting 25, as follows:

[Roll No. 8]

YEAS—249

| | | |
|---------------|---------------|---------------|
| Abercrombie | Dwyer | Lehman (CA) |
| Ackerman | Early | Lehman (FL) |
| Alexander | Edwards (TX) | Levin (MI) |
| Anderson | Engel | Lewis (GA) |
| Andrews (ME) | English | Lipinski |
| Andrews (TX) | Erdreich | Lloyd |
| Annuzio | Espy | Long |
| Anthony | Evans | Lowey (NY) |
| Applegate | Fascell | Lukens |
| Aspin | Fazio | Manton |
| Atkins | Feighan | Martinez |
| AuCoin | Flake | Matsui |
| Bacchus | Foglietta | Mavroules |
| Barnard | Ford (MI) | Mazzoli |
| Beilenson | Ford (TN) | McCloskey |
| Bennett | Frank (MA) | McDermott |
| Berman | Frost | McHugh |
| Bevill | Gedjenson | McMillen (MD) |
| Bilbray | Gephardt | McNulty |
| Blackwell | Geren | Mfume |
| Bonior | Gibbons | Miller (CA) |
| Borski | Glickman | Mineta |
| Boucher | Gonzalez | Mink |
| Boxer | Gordon | Moakley |
| Brewster | Guarini | Mollohan |
| Brooks | Hall (OH) | Montgomery |
| Browder | Hall (TX) | Moody |
| Brown | Hamilton | Moran |
| Bruce | Harris | Murphy |
| Bryant | Hatcher | Murtha |
| Bustamante | Hayes (IL) | Nagle |
| Byron | Hefner | Natcher |
| Campbell (CO) | Hertel | Neal (MA) |
| Cardin | Hogland | Neal (NC) |
| Carpenter | Hochbrueckner | Nowak |
| Carr | Horn | Oakar |
| Chapman | Hoyer | Oberstar |
| Clement | Hubbard | Obeys |
| Collins (IL) | Huckaby | Olin |
| Collins (MI) | Hughes | Oliver |
| Condit | Jacobs | Ortiz |
| Conyers | Jefferson | Orton |
| Cooper | Jenkins | Owens (NY) |
| Costello | Johnson (SD) | Owens (UT) |
| Cox (IL) | Johnston | Pallone |
| Coyne | Jones (GA) | Panetta |
| Cramer | Jones (NC) | Parker |
| Darden | Jontz | Pastor |
| de la Garza | Kanjorski | Patterson |
| DeLauro | Kaptur | Payne (NJ) |
| Dellums | Kennedy | Payne (VA) |
| Derrick | Kennelly | Pease |
| Dicks | Kildee | Pelosi |
| Dingell | Klecza | Penny |
| Dixon | Kopetski | Perkins |
| Donnelly | Kostmayer | Peterson (FL) |
| Dooley | LaFalce | Peterson (MN) |
| Dorgan (ND) | Lancaster | Pickett |
| Downey | LaRocco | Pickle |
| Durbin | Laughlin | Poshard |

| | | |
|--------------|-------------|------------|
| Price | Sharp | Thornton |
| Rahall | Sikorski | Torres |
| Rangel | Sisisky | Torricelli |
| Ray | Skaggs | Towns |
| Reed | Skelton | Trafficant |
| Richardson | Slattery | Traxler |
| Roe | Slaughter | Unsoeld |
| Roemer | Smith (FL) | Valentine |
| Rose | Smith (IA) | Vento |
| Rostenkowski | Solarz | Visclosky |
| Rowland | Spratt | Volkmmer |
| Roybal | Staggers | Washington |
| Russo | Stallings | Waters |
| Sabo | Stenholm | Waxman |
| Sanders | Stokes | Weiss |
| Sangmeister | Studds | Wheat |
| Sarpalilus | Swett | Williams |
| Savage | Swift | Wilson |
| Sawyer | Synar | Wise |
| Scheuer | Tallion | Wolpe |
| Schroeder | Tanner | Wyden |
| Schumer | Tauzin | Yates |
| Serrano | Taylor (MS) | Yatron |

NAYS—160

| | | |
|---------------|---------------|---------------|
| Allard | Green | Petri |
| Allen | Gunderson | Porter |
| Archer | Hammerschmidt | Pursell |
| Armey | Hancock | Quillen |
| Baker | Hansen | Ramstad |
| Ballenger | Hastert | Ravenel |
| Barrett | Hefley | Regula |
| Barton | Henry | Rhodes |
| Bateman | Herger | Ridge |
| Bereuter | Hobson | Riggs |
| Billirakis | Holloway | Rinaldo |
| Bliley | Hopkins | Ritter |
| Boehert | Horton | Roberts |
| Boehner | Houghton | Rogers |
| Broomfield | Hunter | Rohrabacher |
| Bunning | Hyde | Ros-Lehtinen |
| Burton | Inhofe | Roth |
| Callahan | Ireland | Roukema |
| Camp | James | Santorum |
| Campbell (CA) | Johnson (CT) | Saxton |
| Chandler | Kasich | Schaefer |
| Clinger | Klug | Schiff |
| Coble | Kolbe | Schulze |
| Coleman (MO) | Kyl | Sensenbrenner |
| Combest | Lagomarsino | Shaw |
| Coughlin | Leach | Shays |
| Cox (CA) | Lent | Shuster |
| Crane | Lewis (CA) | Skeen |
| Cunningham | Lewis (FL) | Smith (NJ) |
| Davis | Livingston | Smith (OR) |
| DeLay | Lowery (CA) | Smith (TX) |
| Dickinson | Machtley | Snowe |
| Doolittle | Marlenee | Solomon |
| Dornan (CA) | Martin | Spence |
| Dreier | McCandless | Stearns |
| Duncan | McCollum | Stump |
| Edwards (OK) | McCrery | Sundquist |
| Emerson | McDade | Taylor (NC) |
| Ewing | McEwen | Thomas (WY) |
| Fawell | McGrath | Upton |
| Fields | McMillan (NC) | Vander Jagt |
| Fish | Meyers | Vucanovich |
| Franks (CT) | Michel | Walker |
| Galeggly | Miller (OH) | Walsh |
| Gallo | Miller (WA) | Weber |
| Gekas | Molinari | Weldon |
| Gilchrest | Moorhead | Wolf |
| Gillmor | Morella | Wyllie |
| Gilman | Myers | Young (AK) |
| Gingrich | Nichols | Young (FL) |
| Goodling | Nussle | Zeliff |
| Goss | Oxley | Zimmer |
| Gradison | Packard | |
| Grandy | Paxon | |

NOT VOTING—25

| | | |
|--------------|--------------|-------------|
| Andrews (NJ) | Gaydos | McCurdy |
| Bentley | Hayes (LA) | Morrison |
| Clay | Hutto | Mrazek |
| Coleman (TX) | Johnson (TX) | Stark |
| Dannemeyer | Kolter | Thomas (CA) |
| DeFazio | Lantos | Thomas (GA) |
| Dymally | Levine (CA) | Whitten |
| Eckart | Lightfoot | |
| Edwards (CA) | Markey | |

□ 1701

The Clerk announced the following pairs:

On this vote:

Mr. DeFAZIO for, with Mr. THOMAS of California against.

Mr. ECKART for, with Mr. JOHNSON of Texas against.

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DANNEMEYER. Mr. Speaker, I was unavoidably absent during rollcall votes 5 through 8. Had I been present during these votes, I would have voted "nay" on rollcall votes 5 through 8.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2824

Mrs. VUCANOVICH. Mr. Speaker, I ask unanimous consent to remove my name from cosponsorship of H.R. 2824. While designed to improve the accessibility of quality health care to veterans, this legislation has not received the needed support from our Nation's veterans. Without such support, I cannot endorse such legislation.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentlewoman from Nevada [Mrs. VUCANOVICH]?

There was no objection.

PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 258, CREATING A TASK FORCE TO INVESTIGATE CERTAIN ALLEGATIONS CONCERNING THE HOLDING OF AMERICANS AS HOSTAGES BY IRAN IN 1980

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 303 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 303

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 258) creating a Task Force of Members of the Foreign Affairs Committee to Investigate Certain Allegations Concerning the Holding of Americans as Hostages by Iran in 1980. The amendment recommended by the Committee on Rules, as modified by the amendment recommended by the Committee on House Administration, now printed in the resolution shall be considered as having been adopted. The previous question shall be considered as ordered on the resolution and amendments thereto to final adoption without intervening motion except: (1) one hour of debate on the resolution, to be equally divided and controlled by the chairman and ranking minor-

ity member of the Committee on Rules; and (2) the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Michel of Illinois or his designee, which shall be debatable for not to exceed thirty minutes, equally divided and controlled by the proponent and a Member opposed thereto, and all points of order against said amendment are hereby waived.

The SPEAKER pro tempore (Mr. MURTHA). The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Ohio [Mr. MCEWEN], pending which I yield myself such time as I may consume.

Mr. Speaker, during the consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. DERRICK. Mr. Speaker, House Resolution 303 provides for the consideration of House Resolution 258, which proposes to establish the Task Force to Investigate Certain Allegations Concerning the Holding of Americans as Hostages by Iran in 1980. The rule provides for consideration of the resolution in the House with 1 hour of general debate, equally divided and controlled by the chairman and the ranking minority member of the Committee on Rules.

House Resolution 303 provides that the amendment in the nature of a substitute recommended by the Committee on Rules, now printed in the resolution, as modified by the amendment recommended by the Committee on House Administration, shall be considered as having been adopted.

The rule further provides for consideration of the amendment by, and if offered by, Representative MICHEL of Illinois or his designee, which is printed in House Report 102-386. The amendment will be debatable for 30 minutes, equally divided and controlled by the proponent and a Member opposed thereto. The rule waives all points of order against the Michel amendment.

Finally, the rule provides that after the conclusion of general debate and the disposition of the Michel amendment, the previous question will be considered as ordered on the resolution and amendments thereto to final passage without intervening motion.

Mr. Speaker, House Resolution 303 is a fair rule which will enable the House to work its will expeditiously on the so-called October Surprise resolution. I hope all Members will support it so we can get to the bottom of this matter once and for all.

As all Members know, for years allegations have circulated in this country and around the world that individuals associated with the 1980 Reagan Presidential campaign entered into secret negotiations with the Iranians for the purpose of making sure our 52 hostages, seized in the take over of the U.S. Embassy in Teheran on November

4, 1979, would not be released prior to the general election.

The rumors are premised on the idea, widely believed in the fall of 1980, that an October Surprise, or release of the hostages just prior to the election, was the only event capable of causing a majority of American voters to reelect their incumbent President, Jimmy Carter, the following month. It is well known that the Reagan campaign was obsessed with the idea of an October Surprise, and the campaign frequently suggested to the media and the American people that President Carter was planning one for political purposes.

The Reagan campaign had every incentive to work behind the scenes to ensure President Carter was unable to pull off an October Surprise. The allegation is that they actually concluded a deal with the Iranians at a series of secret meetings in Madrid and Paris, and possibly elsewhere, during the summer and fall of 1980.

These rumors received increased attention last year from Mr. Gary Sick, a former national security advisor to President Carter who worked in the White House during the hostage crisis. Mr. Sick, a widely respected expert on Iran, Ivy League professor and a former naval officer, wrote an article which appeared in the New York Times in April.

Mr. Sick's article detailed how during the course of researching a book he had been told repeatedly that individuals associated with the 1980 Reagan campaign had made a secret deal with the Iranians to delay the release of the hostages until after the election. In return for keeping the hostages in captivity until after the election, the Iranians were allegedly rewarded with a substantial supply of arms and spare parts for their military machine, which was almost exclusively of American origin.

Mr. Sick's article further described the Carter administration's ongoing negotiations with the Iranians to secure their release. Those negotiations seemed promising through the summer. But suddenly in October 1980, about the time the secret deal was allegedly finalized with the Reagan campaign, the Iranians broke off all negotiations with the Carter administration over the hostages. The Iranian Parliament began to thwart all official attempts to address the hostage question before the election.

Ultimately, as we all know, the hostages were not released until moments after the inauguration of President Reagan on January 20, 1981. We also know arms did in fact begin to flow to Iran from Israel and elsewhere in substantial quantities immediately thereafter and flowed to Iran for a long period of time.

Gary Sick's article created a sensation, not because the rumors were new, but because he had become convinced

there might be something to them after years of dismissing them out of hand as fantasy. Journalists working for various news organizations, including the Public Broadcasting System documentary "Frontline," ABC News "Nightline," the German magazine "Der Spiegel," and numerous others, have looked into the allegations as well.

These investigators have found no conclusive evidence of such a deal. Nor have they found conclusive evidence disproving the allegations. What Mr. Sick and the other investigative journalists have found, however, is they have taken the investigation as far as they can without the power to subpoena documents and other evidence, including sworn testimony, and without the cooperation of foreign governments.

Mr. Speaker, I do not know whether these allegations are true or not. I certainly hope they are not true. But I do know there has never been an official investigation of these allegations, which go to the very heart of our democratic system of government. House Resolution 258 institutes a formal investigation so we can lay these allegations to rest once and for all. I urge all Members to support the rule and House Resolution 258 so the American people can finally know the truth.

□ 1710

Mr. Speaker, I reserve the balance of my time.

Mr. MCEWEN. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this is about as smelly as it gets around here. What we are going to do is another political effort to do a very partisan act in violation of all basic common principles and decency. This effort by the majority party to add a new investigatory body, in addition to the Tower Commission, the Iran-Contra Committee, the special prosecutor, the Select Committee on Intelligence in the Senate, the General Accounting Office, the Senate Foreign Relations Committee, the House Committee on Foreign Affairs, all of whom have already investigated this, which is what we have heard all afternoon; now they say they want another committee, and I ask my colleagues this: What do they want to accomplish? What is their goal?

Mr. Speaker, this rule permits them to establish a select committee outside the rules of the House. Understand that. That means that Democrat staffers, unbeknownst to Republican members of the task force, with no authority from anyone, would, under this rule and this task force, be able to fly anywhere in the world and use the subpoena power of the Constitution entrusted to the Congress of the United States to take deposition testimony, staffers on the majority side, without even the knowledge of Republicans on

this side. That is an act of unfairness No. 1.

No. 2, suppose they find out something. What do they intend to do with it? Do they not control all 57 committees here now? This select committee cannot legislate, and so it is a platform established for the partisan political purpose: to smear George Bush so they can take every incompetent impostor and fraud, and let me quote the New Republic, the key source, on whose word their story rests, are documented frauds and impostors representing themselves as intelligence operatives. They have concocted allegations that are demonstrably false, and their story is full of inconsistencies and are contradictory. This is an effort to give a platform to these people over the next 6 months to subvert the political process in the election in 1992.

Mr. Speaker, we have asked for about five simple things. For example, we think that they should abide by the rules of the House. The social Democrat side of the aisle voted party line against the Republicans, having them abide by the rules of the House. We thought there ought to be a deadline on the length of this effort, and those on the socialist Democrat side of the aisle voted on a party line basis to have it last interminably. We wanted to have a set on the amount of money that could be spent. We are denied under this rule any limit on how much money can be spent because they have their own resource, in which we do not even have access to. We do not know how much they are, but they voted on a party line basis, the socialist Democrats voting against the Republicans, to have no limit on the amount of money that can be spent.

Mr. Speaker, we can go on and on about the unfairness of this rule, how they stack their side of the aisle on this task force so that they can overwhelm all of the votes. It is absolutely an effort that is embarrassing to the democratic process. This is unbecoming people who believe in elected government, this idea of going back 12 years and listening to people who are an embarrassment to the country.

Mr. Speaker, I reserve the balance of my time.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Ohio [Mr. TRAFICANT].

□ 1720

Mr. TRAFICANT. Mr. Speaker, this is not a light charge, an easy allegation that is being made. The allegation is that the Reagan campaign struck a deal with the Ayatollah some 12 years ago to keep Americans hostage to further the candidacy of Ronald Reagan. This is no petty little charge, and let me tell the Members that the rumors persist and the allegations persist, and the numbers of individuals coming for-

ward to give testimony continue to mount.

The bottom line is this: Where there is smoke, there is fire. Now, Reagan said, "No," Bush said, "No," Casey said, "No," Richard Allen, the National Security Adviser, said, "No," the Reagan campaign committee said, "No," and the CIA said, "No," but certain Iranian officials said, "Yes."

Secretary Baker said that maybe Ronald Reagan knew of the weapons. The Defense Minister of Israel, Mr. Sharon, said that Reagan knew about the weapons.

I say here on the House floor that if the candidacy of Ronald Reagan was propelled by keeping Americans in continual hostage to further that process, it is the biggest and the most deceitful act in the history of the Presidency, in the history of our White House.

I support this rule, and I will say that every American now wants to know the truth, and every Member of Congress on that side of the aisle as well should want to know the truth.

Mr. Speaker, let me say one last thing. I have heard the debate about the postmaster, who happens to be a fine guy, and I do not know what happened there, but the other side of the aisle wanted a select committee to investigate those affairs. I think that the October Surprise brings much more than a surprise to us. I think it brings a cancer, and we must know the truth.

Mr. Speaker, I now want to acknowledge the efforts of Chairman DERRICK, and appreciate the time he has given me.

Mr. MCEWEN. Mr. Speaker, I yield 4 minutes to the distinguished ranking member of the Committee on Rules, the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I would call the attention of the previous speaker to the fact that the gentleman who has presented this rule is Mr. DERRICK, not Mr. Butler.

Mr. DERRICK. Mr. Speaker, I have lived with that all my life.

Mr. SOLOMON. Mr. Speaker, I am also a little surprised that my good friend, the gentleman from Ohio, was standing in the well recommending that we spend \$3 million of the taxpayers' money when that money could go back into jobs in our economy, a cause that the gentleman defends every day.

Let me quote from the New York Times:

A New York Times inquiry over the last three months involving interviews with more than 100 present and former intelligence agents and others with direct knowledge of aspects of the operation found no link between the Israeli arms sales to Iran in the early 1980's and the "October surprise" allegations.

Mr. Speaker, I would ask the gentlemen on both sides of the aisle to come and read Newsweek and come and read the New Republic. Both magazines say that this is a bunch of bunk.

Mr. Speaker, let me say right up front that I am opposed to this rule and the Derrick, Democrat substitute it makes in order.

I say this not because I am opposed to learning the truth about the October Surprise, but because these resolutions have been designed to avoid learning about the whole truth.

After 4 years of secret October Surprise investigations by Democrat Members and staff, at taxpayers' expense, we are now being asked to believe that the majority wants a totally objective and nonpartisan inquiry.

I was almost prepared to accept the majority's sincerity in that until it became apparent that the Democrats behind this have not changed their spots. Consider the following facts:

The Democrat leadership refused to negotiate a bipartisan compromise resolution with our Republican leader. We all sat down together and tried to work it out mainly because it did not want to include the arms-for-hostage efforts of the Carter administration;

The Rules Committee Democrats refused the minority's efforts to obtain the testimony of a Democrat committee consultant who was quoted as saying he had substantial evidence;

Mr. Speaker, the Rules Committee Democrats turned down every amendment offered by the minority in markup on party line votes no matter how reasonable those amendments were;

After the General Accounting Office, which is supposed to be nonpartisan told us that a thorough investigation of October Surprise must include any hostage negotiations by the Carter administration, the Rules Committee Democrats adopted a substitute to preclude any inquiry into such Carter efforts;

When Rules Committee Republicans moved an open rule or one that at least made in order certain reasonable amendments, the Democrats again rejected all of those motions on party line votes.

Mr. Speaker, despite majority party appeals for bipartisanship, the Rules Committee has left the House with just two options—a Derrick, Democrat substitute and a Michel, Republican substitute.

Mr. Speaker, despite appeals for bipartisanship, we learn from the media that a Democrat committee staffer cut a deal just last month with a Federal court to spring a violent, convicted gun-runner from jail in exchange for information on October Surprise—all without House or committee authorization or prior notification of the minority.

Mr. Speaker, after considering all these facts, it's not even fair to ask what we are supposed to think.

Mr. Speaker, it really doesn't take any thought to figure out what is going on here.

One can only be left to conclude that this whole thing is highly partisan,

that it has been designed to coincide with this year's Presidential election campaign, and that it is aimed specifically at President Bush. One can only conclude that this deck is stacked and the jokers are running wild. At the expense of the overboard fund taxpayers will foot the bill for this multimillion-dollar ripoff.

Mr. Speaker, I think we have already been treated to more than our share of tabloid journalism in the past few weeks. And yet, by authorizing this multimillion-dollar partisan conspiracy chase, this House will be engaging in the same kind of seamy sensationalism as the tabloids.

Who knows—maybe Bill Casey sightings will soon replace Elvis and UFO sightings as the hot tabloid topic of the week.

Vote down this partisan rule, and the partisan resolution it makes in order. We don't need more negative publicity over spending millions of taxpayers' dollars chasing after decade-old rumors that have been discredited by every credible news source.

Instead, we should be spending our time and resources on constructive efforts to solve today's economic problems. This resolution hardly sends an encouraging signal to the American people as the first official response of the House to the President's State of the Union appeal for a bipartisan approach to our problems.

Vote "No."

Mr. Speaker, let me just conclude by saying this: The Michel substitute is going to ask for \$300,000, and even that is too much, to carry out this investigation. Let us limit it to 6 months and include the Carter administration so we can see how all this was integrated together. We are being precluded from doing that here, and that is why this rule should be defeated.

Mr. Speaker, let us defeat this rule so we can bring back a reasonable approach, a bipartisan approach to this inquiry.

Mr. DERRICK. Mr. Speaker, for the purposes of debate only, I yield 4 minutes to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, I thank the gentleman for yielding this time to me. I rise in support of the rule and in support of the resolution.

The debate today on this resolution causes me to remember numerous hearings that we had before the Subcommittee on Military Construction of the Committee on Appropriations during the mid-1980's. The Military Construction Subcommittee heard witnesses from the Pentagon. The committee members asked the Pentagon witnesses what they knew about the rumors we had heard concerning the alleged American military buildup in Central America to support the alleged overthrow of the Nicaraguan Government. We inquired, repeatedly, over

several years about alleged installations, weapons, and other possible U.S. involvement in Central America. They were denied. We asked about airfields that we had heard about. The witnesses denied the existence of those airfields. After all, the Military Construction Subcommittee is charged with the constitutional responsibility for appropriating funds for the U.S. military. We also have the constitutional responsibility to oversee military construction and to account to the American people.

The fact is that we learned about the U.S. military buildup of installations, munitions, and airfields from the press. We learned about the mining of the harbor in Nicaragua and the destruction of a radio station and the private secret foreign policy of Ronald Reagan from the press. We did not learn about it from the Pentagon. In fact, I recall specifically, asking the Deputy Secretary of Defense Taft about these rumors, about these allegations. He denied knowing anything about it. His response was typical at the time. "I am not a politician," he would reply.

What we had during this era in the 1980's was a policy of deceit and misrepresentation of the Congress of the United States and the American people. The Reagan administration formulated and carried out an official policy of deceit. The elected representatives of the people were denied the facts about the official policy and actions of our Government. The constitutional process of government was compromised, subverted. The rule of law was replaced by the President's policy.

We were shocked to learn that a CIA pilot was shot down over Nicaragua carrying weapons to support the overthrow of the Government of Nicaragua. That pilot was from Arkansas. His name was Buzz Sawyer.

Mr. Speaker, I would yield to the gentleman if he wants me to yield to him.

Mr. McEWEN. Mr. Speaker, I thank the gentleman. How much time would he like to yield?

Mr. ALEXANDER. I will yield the gentleman a second. That is about what he is entitled to.

Mr. McEWEN. I thank the gentleman for his generosity.

Mr. ALEXANDER. I would like the opportunity to make my statement here without being interrupted.

Mr. McEWEN. I encourage the gentleman from Arkansas to discuss the subject at length.

Mr. ALEXANDER. Mr. Speaker, may I ask the gentleman for 1 more minute?

Mr. DERRICK. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, I think the reason this is important is that the downing of the C-130 airplane over Nicaragua that killed the pilot

from Arkansas led us to more information about Mr. Reagan's secret policy. We learned about a secret operation that was being conducted in my home State. From an airport in Arkansas our Government was secretly sending weapons to Central America and bringing back drugs, drugs that were eventually sold to our children in America. This matter is now being investigated by the special prosecutor, and we expect some indictments.

But the point I am trying to make is that the American people deserve to know the truth about their Government's actions and their Government's policies. If the Government does not have anything to hide, let us reveal it to the American people.

Similarly, the resolution to investigate the so-called October Surprise is deserving of support.

If the allegation linking George Bush to a release of Americans until after the 1980 election are untrue a thorough investigation will reveal it. There has been no official investigation to date. The American people deserve to know the truth. I support the resolution.

□ 1730

There is an old Russian proverb that I am reminded of when I think about the policies of the Reagan administration. Rust eats iron and lies eat the soul. The American people are skeptical about their Government today because of the official policy of deceit and misrepresentation of the Reagan administration, too many questions remain unresolved.

I think we ought to investigate this matter and resolve it once and for all. I support the resolution.

Mr. McEWEN. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee [Mr. QUILLEN], a distinguished leading member of the Committee on Rules.

Mr. QUILLEN. Mr. Speaker, here we go again, another witch hunt. Millions of dollars will probably be spent by the American taxpayer, and it looks like to me it is going to be an entirely partisan investigation. They tried to hang Oliver North, and he was cleared after we spent approximately \$40 million.

Mr. Speaker, the minority has tried to work with the majority in creating this task force. We want any suspicions removed that this is being done to spring a new surprise on the eve of this year's elections for partisan, political purposes. And it is ironic to me that some 11 or 12 years later this investigation rears its ugly head just before a Presidential election.

House Resolution 258 fails to make the inquiry complete because it does not include an investigation into the efforts of the Carter administration and the Carter campaign to expedite the release of American hostages. By not including this in the investigation, it will make it impossible to get a full

picture of the situation. Mr. Speaker, even the General Accounting Office has indicated that the failure to include efforts by U.S. Government officials in 1980 to secure the release of hostages would make it impossible to conduct a thorough investigation. This gives clear evidence of the partisan nature under which this inquiry is being conducted.

Now as to the cost, Mr. Speaker. At a time when there is a growing budget deficit and a decline in public confidence in the Congress, it makes no sense to me to begin an investigation into information which two reputable news magazines have said there is no evidence. Also, why should we have two investigations, one in the House and one in the Senate, going on at the same time? It is expensive and to me it doesn't make sense.

I hope that the substitute offered by the minority leader will be embraced by the House because it will correct some of the flaws. Mr. MICHEL's substitute includes the hostage release efforts by the Carter administration and also places a 6-month deadline on the inquiry unless the House specifically extends it for good cause.

Mr. Speaker, I yield back the balance of my time.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 4 minutes to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, I guess we now know what the earlier diversion was about with all of the dilatory motions. It is what HOWELL HEFLIN said during one of the Senate hearings. If you do not have the facts and you do not have the law, then try to create enough heat so there is a diversion.

Let us take a look at why we are here. Several Presidents have asked us to look at this, including President Reagan. I think that is an important statement, but that is not the most important statement to me. Eight of the hostages and maybe more have come forward and asked us to investigate it. It seems to me those brave Americans who were put in peril for their Government, spent a considerable portion of their life in terror, not knowing whether they would live or die, that we owe them a thorough and full investigation.

If you wonder why the majority is somewhat nervous about letting the minority write the resolution, look at what we have gone through today because this was coming up at this point. We had motions and countermotions, we had votes, we had anger, we had heat, and we did not get a lot of light. What we want in this instance is to get some light.

Now let me once again explain to my friends on the other side of the aisle why we want to investigate Bill Casey and the Reagan administration and if they led to the extension of the incar-

ceration of American hostages and why we are not going to investigate Jimmy Carter. Jimmy Carter was the President of the United States. He had the legal right, elected by the people of this country, to execute American foreign policy. Bill Casey was a campaign staffer.

Now let me give Members an analogy in life. If an individual walks into their bank, and there is money in their checking account, and they write a check and the bank cashes that check, there is no need for an investigation. The normal audits and transactions will review that. When Jesse James walked into a bank with a gun and took the same amount of money out, that is when you get excited, and that is what we are looking at here. There are serious allegations by scholars, by others, that the campaign of the Republican Party, led by Mr. Casey and Mr. Reagan, were involved with the Iranians in such a way that it extended the incarceration of Americans who were serving this country.

It seems to me our obligation here in the normal course of events is to review the operation of government and how the government executes its policies. But what this special instance demands that we review is, if a candidate for a President of the United States or his campaign staffers—and if they did what they are accused of, this is the worst act I have ever heard of in American politics—led to the extended incarceration of Americans.

I am one of those, frankly, who is somewhat upset by the movie about John Kennedy and the talk of all of these new conspiracies. But it is the objections of my friends on this side of the aisle that I think leads to the feeling that there are conspiracies and that there are coverups.

Let us get to the investigation. If it were not for your objections, we would have had this begun months ago, and maybe completed long before the election.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I am happy to yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, I want to thank the gentleman for his illuminating remarks and for instructing us on why Carter's actions are not relevant. I would like to try to communicate to the gentleman why Carter's actions are relevant.

If the gentleman will read Gary Sick's book, "All Fall Down," as carefully as I know he has, he will learn that in October 1980, President Carter offered 150 million dollars' worth of weapons and military supplies to the Iranians if they would give us the hostages. Against that background, to accuse Casey of offering weapons, why would they not take them from Carter who was then the President?

Mr. GEJDENSON. I will reclaim my time.

Mr. HYDE. That is why it is relevant, and I will explain it to the gentleman again. I will explain it again.

Mr. GEJDENSON. I will reclaim my time. It is the same as Jesse James. Jesse James did not have the right to withdraw the funds.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DREIER], a distinguished member of the Committee on Rules.

Mr. DREIER of California. Mr. Speaker, I think that we have to clarify things here. Members on this side of the aisle want to get to the bottom of this issue. We have a substitute, the Michel substitute, which has clearly been offered. We just want to see this done in a fair way. And my friend, the gentleman from South Carolina [Mr. DERRICK], has said that this is a fair rule. It is anything but that.

Frankly, my constituents in California over the past several months have demonstrated to me that they are incredulous at what we are doing here. What has happened, when we were debating this up in the Rules Committee before Thanksgiving and the House Administration Committee they carried it on television, and people said, "My gosh, we have an economic crisis in this country. Why are you in the Congress worrying about what happened in this country more than a decade ago?"

□ 1740

Well, I had to answer that, because we have a substitute that allows us to get to the bottom of this issue. We want to clear the names of Ronald Reagan and William Casey and others who have been charged here in all of these allegations that have been leveled, but we want to do it in a fair way, and this rule does not do it in a fair way.

In 1977, the Committee on Rules issued a report entitled "Guidelines for the Establishment of Select Committees." In that report our committee set forth a model resolution for the creation of select committees, and yet the resolution before us totally ignores those guidelines.

The task force authorized by House Resolution 258 is specifically exempted from some of the most important rules and procedures which our standing committees must operate under: Whereas, House rules require a committee majority to hold a hearing or a meeting, this resolution gives the power to any two members of the task force; whereas, House rules require the committee majority to vote to delegate subpoena authority to the chairman, this resolution automatically gives the chairman that authority; whereas, House rules require at least two members be present for the taking of testimony including sworn depositions, this resolution permits a single member or staffer to take depositions; whereas, House rules require that com-

mittee budgets be approved by the House, this resolution permits the task force to draw unlimited money directly from the contingent fund with only the approval of the chairman of the Administration Committee at a time when we are facing massive Federal deficit problems here; we cannot allow this fiscally irresponsible type of budgeteering.

What many of my friends on the other side of the aisle have said is absolutely right: We want to get to the bottom of this, but let us do it under the rules of this House.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, I rise to speak in favor of the rule and the resolution.

I find it instructive, and I hope Members will find it equally instructive, that this debate began with accusations of imposters and frauds leading the way in requesting this investigation, when some of the very people who were held hostage are the ones who are asking. Are they imposters? Are they frauds?

It is said that we want to subvert the political process. Well, Mr. Speaker, I wrote a long and detailed letter to Judge Aubrey Robinson about Mr. Elliott Abrams, a man who takes pride in the fact that he lied to the Congress of the United States, because he decided that he was the interpreter of the Constitution.

Now, maybe Mr. Abrams is a lot brighter, maybe he is a lot smarter, maybe he has the interests of this country more at heart than we do, but we are the elected officials. We ran for office. We are accountable publicly for what we do under the Constitution and under the oath of office that we took in this Chamber.

Mr. Abrams and his ilk represent to themselves that they are the ultimate arbiters to make policy and to be able to make decisions that involve the lives and treasure of the people of the United States, and in this instance, the very lives and well-being of hostages held by a foreign nation, of individuals who are citizens of this country.

The Carter administration is brought into it when it had the responsibility for trying to get these hostages out of their captivity. The whole idea behind this rule and the resolution is to see to it that those who were held under those circumstances had an opportunity to be freed, and the point is that anyone engaging in negotiations other than a member of the Carter administration was, in fact, undermining it, and it probably was not as funny to the people being held hostage as it is to Members sitting on this side of the aisle at the present time who did not have to undergo it.

I hope the American people will see the amusement with which this argu-

ment is being undertaken by Members on the other side, the cynicism with which this resolution is regarded, which is reflected in the countenances of the people who are directing this particular discussion.

It is time to move forward with the resolution, time to move forward with the rule, time to move forward with respect for law under the Constitution regardless of how inconvenient it is for the opposition.

Mr. DREIER of California. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], the distinguished ranking member of the Permanent Select Committee on Intelligence.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, my Democratic friends are absolutely right when they suggest that there was an October Surprise planned. My Democratic friends are absolutely right when they say that there was a secret effort to trade arms for hostages.

The problem is the only credible evidence that we have shows that that secret effort was conducted by the Carter administration and, in fact, the credible evidence is Gary Sick in his earlier book, "All Fall Down," on page 370 where he says,

The core group of NSC on October 11, 1980, 3 weeks before the election, met, and their objective was to construct a package of military equipment that would be attractive to Tehran. A draft message was prepared for President Carter's approval offering a military package of about \$150 million that would be made available upon the release of the hostages ***

Arms for hostages, yes, by a sitting President, but apparently my Democratic friends think it is OK for a Democratic President to put together an arms-for-hostages package. It just was wrong for a Republican President to try to do that some years later.

Why, I ask, do my Democratic friends, the Democratic majority, refuse to include an investigation of this credible evidence against a Democratic President while initiating a fishing expedition to bash a Republican President in an election year?

I can tell you, as the ranking member of the Intelligence Committee, I have looked at the traffic, and there is no credible intelligence to suggest that any effort was ever undertaken. What we have here is a blatant partisan effort unworthy of this institution, and I urge us to vote down this resolution, support the Michel substitute, so we can get to the bottom on all sides of this issue.

Mr. DREIER of California. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, I rise in opposition to this rule and resolution to create and fund a task force to investigate the so-called October Sur-

prise. Simply put, we now face a partisan effort by the majority to push a congressional investigation based upon rumor and allegations in regard to events that happened 11 years ago. "I must tell you this is one of those issues that will result in little more than hard feelings and that tears at the comity of this body when we truly need comity."

At no time has anyone been able to point to any specific information or evidence that showed that any secret negotiations occurred between representatives of the Iranian Government and the Reagan campaign staff.

Both the New Republic and Newsweek magazines, after months of investigation that spanned the globe and utilized an army of reporters, defined this entire business as, "A conspiracy theory run wild."

But, for the sake of argument, let us say there is a Reagan campaign gun somewhere in a former Carter aide and now author Gary Sick's twilight zone. What should we do? In the should-do department, to avoid all appearance of partisanship, we should require approval of the ranking member for all actions by the task force. We should have a 50-50 task force staff ratio or at the very least an 8 to 5 ratio.

We should have a spending limit and at least have a time limit or target date for completion other than this November's election. Why not a report in 90 days to the House or if we truly want to investigate across the Iranian horizon, we should investigate all matters relating to the arms-hostage issue.

That list, along with other reasonable recommendations, was presented in amendment form to the majority when the House Administration Committee considered and approved the task force. All Republican proposals were defeated on a straight party-line vote. And, that is what we have, my colleagues, a straight party-line investigation of something that is alleged to have happened 11 years ago.

Now, some of you may believe the worst and that author Gary Sick has written a prolog to a terrible chapter in our Nation's history. If that is the case, which most observers do not believe, then why not an investigation that is fair, one that the minority can play a pertinent and equal role?

Well, let us not beat a dead and partisan horse. As it was in committee it now and ever shall be. One partisan world without end. But, I must warn my colleagues. If those fully acquainted with the allegations and facts of this business are sick and tired of Gary Sick, let me tell you the American people are sick and tired of unending congressional investigations that cozy and coddle those who have truly violated the public trust. They are sick and tired of inquiries forced upon us by public disclosure as to how we conduct business around here that

should be investigated but that still lie festering behind closed doors.

Lord knows, we have enough tales of plots, conspiracies, and bizarre behavior written, directed, filmed, and foisted on the American public by self-serving authors to last the tabloids a lifetime. But, do we have to use taxpayer money to investigate it all? Is there not a statute of commonsense limitation? General Wiedemeyer alleged FDR knew about Pearl Harbor before the bombing. Is it true that Harry Truman dropped the bomb when the Japanese were secretly negotiating for a ceasefire? What is the real story behind Ike and Gary Powers and the U-2? Why did Jack Kennedy authorize the invasion of Cuba without air cover? Was the missile crisis real? Is Alexander Haig Deep Throat? Was that really George Bush and Bill Casey in Paris? Maybe there is another convicted felon that can allege drug use by the Vice President.

Please, my colleagues, enough. Let us end this, and get to the business of reducing the deficit, and providing economic recovery. Vote against the resolution.

□ 1750

Mr. DREIER of California. Mr. Speaker, I yield 3 minutes to my very good friend, the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Mr. Speaker, I rise in opposition to this rule.

It is nothing short of flabbergasting that liberal Democrats are still unable to cope with the fact that Jimmy Carter was defeated by Ronald Reagan in 1980. Friends of mine who have drinking problems tell me that in Alcoholics Anonymous they are told that the first step toward recovery is facing reality. Alcoholics apparently suffer from what is called denial blaming all their problems on others, or circumstances, or even conspiracies against them.

Well, if there has ever been a megalomaniac of denial, it is that of the liberal Democrats, who controlled both Houses of Congress, and every executive branch agency and department, as well as the Presidency from 1977 through 1981, being unable to look in the mirror and accept the fact that their basic philosophy of big government doesn't work. They lost, so it must be a conspiracy. They are addicted to profligate spending and big taxing, and in the end it wrecks the economy.

Even worse, it seriously hurts people—regular people who hear protestations of compassion from liberal Democrats and end up being thrown out of work when the economy heads south.

But the self-proclaimed champions of the common man cannot admit that. If the American people overwhelmingly are turning their backs on those who go to such lengths to profess their dedication to the less-fortunate, it cannot

be because of the smell of big taxing and spending on their breath that the people reject them at the polls; it must be a conspiracy.

Now the country is being asked to foot the bill for yet another expensive investigation so liberal Democrats will have something to sneer about during the upcoming election. This is the same bunch that has spent at least \$26 million, perhaps as much as \$100 million, to investigate the so-called Iran-Contra scandal.

What was accomplished by spending these tens of millions of dollars and mobilizing prosecutors, lawyers, investigators, FBI agents, IRS agents, and GAO accountants? And do not forget the court costs, with judges at their benches and juries sitting in the box examining the details of this political inquisition. The end result: A few misdemeanor convictions, but by and large all we have for tens of millions of dollars spent is high living for special prosecutors and overturned, thrown out, and reversed legal work on the part of 54 attorneys.

Oh, yes. What else resulted from this waste of tax dollars was the ability by Democrats to politically exploit the perception that something wrong had been done by somebody in Government. And something wrong was done. Money and time was egregiously wasted. And now the Democrats want to do it again.

It is hard to figure out if this is the most cynical, or simply one of the wackier spending schemes to make its way through the taxaholic ranks of the ruling party.

Perhaps the greatest case of denial is that of one Gary Sick. He was the point man in the Carter White House in dealing with the Iranian hostage crisis. He, too, cannot admit he failed. He is obsessed in proving it was not his fault. It must be a conspiracy. Oliver Stone should do a movie about this man, just like he did about Jim Garrison. I understand that Stone is thinking about doing such a movie, right after he finishes his current film on the great UFO coverup, which, I might add, seems to have been tied directly to the Kennedy assassination.

This proposal is election year politicking at taxpayers' expense. It may turn out to be the same mean-spirited persecution and McCarthyism as the legal fiasco that resulted from Iran-Contra.

Let me just close with this advice for my friends on the other side. It is time to face reality. Denial is not going to make things better for you in the upcoming elections.

Gary Sick may well have failed because Jimmy Carter was his boss, and by 1980, no one, especially the Iranians, took him seriously.

The Democrat Party will continue to fail until it is willing to come to grips with the fundamental addiction to big taxing and spending. Gimmicks and

blaming others are not the way to win elections. If you keep wasting tax dollars on this type of nonsense, come election day you are just going to have another November surprise, and you will have to blame but yourselves.

Mr. DREIER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia [Mr. ALLEN], our very able new Member.

Mr. ALLEN. Mr. Speaker, I rise in opposition to this typical arrogant Democrat gag rule and to oppose the political gimmickry that we are about to undertake.

This issue is yet another example of Congress' failure to operate in an efficient manner to deal with the very real problems that the American people are facing today. Despite the many pressing problems facing the United States, the Democratic leadership has failed to schedule even one bill that will help the economy and create new job opportunities.

Today we have a blatantly political scheme to squander millions of our taxpayers' hard-earned dollars. For what? An unnecessary investigation into uncorroborated events that are alleged to have happened over 10 years ago. Why can not the Democrats focus on jobs for Americans, rather than fishing expeditions for partisan advantage at the expense of American taxpayers?

Mr. Speaker, let us put aside petty partisan posturing. Let us work together honestly for the best interests of the American people. The Virginians I represent want Congress to develop solutions to their important concerns in the real world of today and the future.

I urge all my colleagues to vote down this gag rule and to vote against this ploy to gain partisan advantage at taxpayer expense.

Mr. McEWEN. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia [Mr. GINGRICH], the distinguished minority whip.

Mr. GINGRICH. Mr. Speaker, I thank the gentleman from Ohio for yielding this time to me.

Mr. Speaker, I am going to urge Members to vote no on the previous question, because I want to offer an amendment which would allow us to have a much better understanding of exactly what is happening with the contingency fund.

I got intrigued with this, frankly, when I noticed that the proposal to pay for an October Surprise committee set up potentially between \$1 and \$2 million in expenses and sort of cavalierly suggested that the money was available, so I began to inquire into exactly what is in the contingency fund.

Now, as I understand it, the contingency fund is those moneys which are left over at the end of the year which are not expended by Members, their offices, committees, and House Information Services.

Last year apparently there was an amendment added to the legislative appropriations bill which now means that once the money goes into the contingency fund it never leaves, unless it is spent. In previous years, if you had a little money left over you could move it around. You could spend it, but then at the end of the year it went back to the Treasury.

Now, it means that if a Member does not spend every penny that is allocated to him, that money will go into a contingency fund and that contingency fund will permanently have that money.

Now, the General Accounting Office suggested to us that the amount from last year was approximately \$20,800,000. So if you assume that is sort of a typical year, that means that over a 10-year period we are now talking about a \$208 million contingency fund.

There are some questions that need to be answered. Who authorizes the expenditures? How are they tracked? Is there any kind of review process?

I have inquired on my side of the aisle and we are frankly not certain that everything spent in the contingency fund is reported to the minority. We are not sure at all that our Members have complete awareness of what is going on.

We do know that if you are a citizen, it is for all practical purposes impossible to find out where the money went, what it was spent on.

So I think that it ought to be possible for us to have a report to be able to look at what has been done in the last few years, with the amounts, how much were the amounts, what is going to be done with the \$20.8 million, who is going to decide how it is done. I think these kinds of questions are not illegitimate.

Now, notice that today, again and again, we have been running into the same problem here in the House. We have the stories about cocaine dealing in the post office and who got told or who did not get told. We have the stories about a lawyer who works for a democratic staff writing a letter to a Federal judge to get an arms dealer out and who gets told and does not get told.

All of us came back to read a story about marble floors being put into the elevators. Now, I understand that is the Architect's fund. That is not the contingency fund, but I do not think anybody on our side was approached about the idea that in the middle of a recession, with a huge Federal deficit, do you really think we ought to spend about \$5,000 or \$6,000 for the elevators to make sure that we have a marble floor to stand on?

I think on our side the conservative fiscal attitude would have said, "Wait. We can go for awhile without that kind of money being spent."

So I am going to ask my colleagues to vote no, and it is a very simple vote.

If you believe the public deserves to know what is going to happen with potentially \$208 million over the next 10 years, if you believe the public deserves to know how the decisions are made and how the money is spent and where it is going, then you ought to vote no, so that we can offer the amendment that would make all of this clear.

□ 1800

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 7½ minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. I thank my friend from South Carolina for yielding this time to me.

Mr. Speaker, I rise to respond to the points made by the gentleman from Georgia [Mr. GINGRICH].

Mr. Speaker, the gentleman raises issues which should be and, frankly, have been available to Members of the House and will be even more publicly evident after my remarks are completed.

Much of the information the gentleman requested is available in the very comprehensive report put forward by the Clerk of the House on a quarterly basis, but we will attempt to be of assistance to the minority whip tonight in providing additional information in a more organized form.

Mr. Speaker, the gentleman asked a number of questions in a "Dear Colleague" which he sent around to the membership. He then refined these questions in his amendment.

So, using his amendment, I would attempt to respond now for the RECORD and, hopefully, satisfy the concerns that were the purpose of the amendment, making it unnecessary to proceed with that amendment.

The fact would be evident to all that the record is complete and the information he seeks is available at the moment rather than through some additional proceedings.

Mr. Speaker, the gentleman has raised three questions:

First, the total available in the contingent fund for other expenses, after payment of expenses for the offices of Members, the committees of the House, and the House information systems.

In the 1992 bill, \$281 million—\$281,033,000—was provided to the three accounts in the legislative appropriations bill under the general heading "Contingent Expenses of the House."

Amount appropriated in Public Law 102-90

| Contingent expenses of the House: | |
|---|--------------------|
| Standing committees, special and select | \$57,900,000 |
| House information systems | 8,615,000 |
| Allowances and expenses | 214,518,000 |
| Total | 281,033,000 |

The term "contingent fund" in the gentleman's questions is not legally

synonymous with the funds for "contingent expenses of the House" provided in the appropriations bill. But, funds for the Foreign Affairs Committee task force can only be derived from the line item "Standing committees, special and select" because that is the account that is the source of committee investigative funds such as we are discussing here.

However, without this resolution (H.Res. 258), which authorizes the task force, the Foreign Affairs Committee can not utilize any funds within that \$57.9 million appropriation beyond a 9-percent-per-month allocation of the \$3,840,825 which is currently available to Foreign Affairs under clause 5(f)(3) of rule 11 of the House.

And those funds will undoubtedly be necessary for the normal investigative activity of that committee.

So I would say there are no funds that could be available under current procedure and law to pay the expenses of this task force.

This funding resolution, or similar authority, is needed to provide the necessary funds.

To the extent that these funds can be used for other expenses—those expenses may only be legally approved expenditures as approved by House Administration or a sanctioned House approval authority like a committee chairman. The specific instances where transfers were made from one of these accounts to another account is in the list of transfers provided in my answer to question No. 3 that I will have subsequent in my statement.

Second, the nature of such other expense, with a specification of each payment and the identity of the Member or other authority of the House who authorized or approved the payment.

Each and every expenditure from the amounts provided for contingent expenses of the House is for a House employee's salary—for HIS or a committee employee on the investigative rolls—or other authorized expenses such as HIS computer rentals, supplies, House furniture, telephone costs, typewriters, and other equipment, and other normal expense items of the House. In addition, the House's share of employee health and retirement benefits is included, as are the funds for Members's office accounts.

The authority for paying employee salaries is self evident—for example, a committee chairman; the authority for paying the routine expenditures—supplies, equipment, and so forth—is the individual committee chairman and the Committee on House Administration; the authority for paying health and retirement employer contributions is established by Governmentwide statute; and in the case of Members expense allowances—the individual Member and the Committee on House Administration authorize these expenditures.

With respect to the nature of such other expense and its specification, I would point out that each transaction is listed in the Clerk's Report issued every 3 months, and its nature. That is in the public record.

Third, the amounts transferred or reprogrammed with respect to the contingent fund, whether by authority of the Committee on Appropriations or otherwise, and the purposes for which such amounts were transferred or reprogrammed.

The gentleman will remember that I placed a list of 1987, 1988, and 1989 transfers for the House of Representatives in the CONGRESSIONAL RECORD on July 31, 1989, during floor debate on the fiscal year 1990 appropriations bill.

I have a list of House transfers for fiscal years 1988, 1989, 1990, and 1991 and reprogramming provided to the Architect of the Capitol and Library of Congress for fiscal years 1987, 1988, 1989, 1990, and 1991.

I ask unanimous consent that this list may be printed in the RECORD.

These are typical, normal transactions necessary to take care of unforeseen needs such as the purchase of a telephone switch, providing clerk hire salary funds for annual COLA's, the renovation to the House Radio/TV Gallery, the demolition of the Palm House at the Botanic Garden Conservatory, and so forth.

They were signed off by both myself as the chairman and the gentleman from California [Mr. LEWIS], the ranking minority member of the Legislative Subcommittee on Appropriations.

There is nothing sinister here—they are typical needs for a \$2.3 billion legislative branchwide operation.

Defense Department reprogramming would dwarf these amounts. Their reprogrammings are in the billions of dollars.

I think these data answer the gentleman's questions. They constitute the report the gentleman demands in his "Dear Colleague" and, in slightly restated form, in his amendment.

Fiscal year 1988 transfers as of Feb. 4, 1992

| | |
|---|-------------|
| From: | |
| Allowances and Expenses, Official Expenses of Members | \$2,512,340 |
| To: | |
| House Leadership Offices | 221,820 |
| Salaries O&E | 59,520 |
| Member's Clerk Hire | 2,000,000 |

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|---|-----------|---|-------------|---|--------------|
| Allowances and Expenses | 231,000 | Official Expenses | 3,000,000 | Committee Employees | 1,742,000 |
| From: | | Office Equipment | 5,500,000 | To: | |
| Allowances and Expenses, Gov- | | To: | | Allowances and Expenses, Gov- | |
| ernment Contributions | 101,000 | Allowances and Expenses, Sup- | | ernment Contributions | 6,425,000 |
| To: | | plies, Materials | 6,000,000 | From: | |
| Salaries O&E, Office of the | | Government Contributions | 3,000,000 | Allowances and Expenses, Of- | |
| Clerk | 101,000 | Supplies, Materials | 5,500,000 | ice Equipment | 491,000 |
| From: | | From: | | To: | |
| Salaries O&E, Office of the | | Allowances and Expenses, Offi- | | Salaries O&E, Office of the | |
| Postmaster | 60,000 | cial Expenses | 3,500,000 | Clerk | 491,000 |
| To: | | To: | | From: | |
| Salaries O&E, Substitute Mes- | | Members' Clerk Hire | 3,500,000 | Allowances and Expenses, Offi- | |
| sengers | 60,000 | From: | | cial Expenses of Members | 4,100,000 |
| From: | | Standing Committees, Special | | To: | |
| Salaries O&E, Other Authorized | | and Select | 2,000,000 | Members' Clerk Hire | 4,100,000 |
| Employees | 36,250 | To: | | From: | |
| To: | | Allowances and Expenses, Gov- | | Allowances and Expenses, Re- | |
| Salaries O&E, Republican Con- | | ernment Contributions | 2,000,000 | employed Annuitants | 353,000 |
| ference | 36,250 | From: | | To: | |
| From: | | Allowances and Expenses, Offi- | | Allowances and Expenses, Fur- | |
| Standing Committees, S&S | 170,000 | cial Expenses | 5,007,000 | niture and Furnishings | 103,000 |
| To: | | To: | | Stenographic Reporting | 250,000 |
| Allowances and Expenses, Sten- | | Allowances and Expenses, Of- | | From: | |
| ographic Reporting | 170,000 | ice Equipment | 5,000,000 | Salaries O&E, Office of the | |
| From: | | Furniture and Furnishings | 7,000 | Postmaster | 65,000 |
| Allowances and Expenses, Offi- | | From: | | Six Minority Employees | 15,000 |
| cial Expenses of Members | 105,000 | Salaries O&E, Democratic | | To: | |
| To: | | Steering | 5,000 | House Leadership Offices, Chief | |
| Allowances and Expenses, Sup- | | To: | | Deputy Majority Whip | 65,000 |
| plies, Materials | 105,000 | Salaries O&E, House Demo- | | Minority Whip | 15,000 |
| Total | 2,984,590 | cratic Caucus | 5,000 | From: | |
| Fiscal year 1989 transfer history as of Feb. 4, | | From: | | Salaries O&E, Office of the | |
| 1992 | | Allowances and Expenses, Offi- | | Doorkeeper | 157,000 |
| From: | | cial Expenses of Members | 507,000 | Office of the Parliamentarian .. | 63,000 |
| Salaries O&E, Office of the | | To: | | To: | |
| Postmaster | \$44,000 | Allowances and Expenses, Sup- | | Salaries O&E, Office of the Ser- | |
| To: | | plies, Materials | 500,000 | geant At Arm | 82,000 |
| Salaries O&E, Substitute Mes- | | Miscellaneous Items | 7,000 | Office of the Chaplain | 10,000 |
| sengers | 44,000 | Total | 26,627,000 | Other Authorized Employees | 65,000 |
| From: | | Fiscal year 1990 transfers as of Feb. 4, 1992 | | House Democratic Caucus | 63,000 |
| Allowances and Expenses, Offi- | | From: | | From: | |
| cial Expenses of Members | 150,000 | Allowances and Expenses, Of- | | Allowances and Expenses, Of- | |
| To: | | ice Equipment | \$4,600,000 | ice Equipment | 500,000 |
| Allowances and Expenses, Fur- | | Reemployed Annuitants | 130,000 | Standing Committees, S&S | 2,000,000 |
| niture and Furnishings | 150,000 | Miscellaneous Items | 150,000 | To: | |
| From: | | Salaries O&E, Office of the | | Allowances and Expenses, Sup- | |
| Committee Employees | 904,000 | Doorkeeper | 40,000 | plies, Materials | 2,500,000 |
| To: | | Office of the Parliamentarian .. | 20,000 | From: | |
| Salaries O&E, Office of the | | To: | | Allowances and Expenses, Of- | |
| Clerk | 615,000 | Allowances and Expenses, Sup- | | ice Equipment | 260,000 |
| Office of the Doorkeeper | 60,000 | plies, Materials | 4,940,000 | To: | |
| Office of the Postmaster | 132,000 | From: | | Allowances and Expenses, Gov- | |
| Office of the Chaplain | 2,000 | Allowances and Expenses, Of- | | ernment Contributions | 200,000 |
| Technical Assistant | 35,000 | ice Equipment | 3,418,000 | Miscellaneous Items | 60,000 |
| Former Speakers Staff | 60,000 | Standing Committees, Special | | Total | \$19,369,000 |
| From: | | and Select | 1,265,000 | Fiscal year 1991 transfers as of Feb. 4, 1992 | |
| Salaries O&E, Office of the Par- | | From: | | From: | |
| liamentarian | 5,000 | Allowances and Expenses, Offi- | | Allowances and Expenses, Of- | |
| House Democratic Caucus | 5,000 | cial Expenses | | ice Equipment | \$500,000 |
| To: | | To: | | To: | |
| Salaries O&E, Compilation of | | Allowances and Expenses, Sup- | | Allowances and Expenses, Fur- | |
| Precedents | 5,000 | plies, Materials | 4,940,000 | niture and Furnishings | 500,000 |
| House Democratic Steering | 5,000 | From: | | From: | |
| From: | | Allowances and Expenses, Of- | | Committee Employees | 3,885,000 |
| Allowances and Expenses, Offi- | | ice Equipment | 3,418,000 | To: | |
| cial Expenses | 6,000,000 | Standing Committees, Special | | Members' Clerk Hire | 3,885,000 |
| | | and Select | 1,265,000 | From: | |
| | | From: | | Allowances and Expenses, Gov- | |
| | | Allowances and Expenses, Offi- | | ernment Contributions | 300,000 |
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| Office Equipment | 4,500,000 |
| Office Equipment | 17,000 |
| To: | |
| Allowances and Expenses, Re-employed Annuitants | 300,000 |
| Supplies, Materials | 4,500,000 |
| Miscellaneous Items | 17,000 |
| From: | |
| Official Mail Costs | 1,519,000 |
| To: | |
| Supplies, Materials | 1,519,000 |
| From: | |
| Salaries, O&E, Office of the Doorkeeper | 489,000 |
| To: | |
| Salaries, O&E: Office of the Clerk | 100,000 |
| Sergeant At Arms | 24,000 |
| Office of the Postmaster | 360,000 |
| Office of the Chaplain | 5,000 |
| From: | |
| Allowances and Expenses, Office Equipment | 130,000 |
| To: | |
| Allowances and Expenses, Miscellaneous Items | 130,000 |
| From: | |
| Salaries, O&E, Office of the Doorkeeper | 23,000 |
| To: | |
| Salaries, O&E, Office of the Postmaster | 23,000 |
| Total | 11,363,000 |

ARCHITECT OF THE CAPITOL REPROGRAMMINGS IN FISCAL YEARS 1987-91

FISCAL YEAR 1987

Alterations to Accommodate New Telecommunications Equip in HOB's, \$895,000.
Telecommunications—Plan/Consultants, \$400,000, Warehouse Leasing, \$100,000.
Emitter Detection System, \$150,000.

FISCAL YEAR 1988

Renovations to 501 First St., relocating staff from HOBA No. 2, \$347,000.
Renovations and Alterations to Speaker's Office and House Majority Leader's Space, \$80,000.
Installation of Additional Security Equipment, \$945,000.
House Radio/TV Gallery, \$431,000.
LOC, Madison Telecommunications Equipment Room, \$110,000.
House Publications Distribution Service, \$300,000.
Installation of Continuous Emissions Measuring Equipment, Capitol Power Plant, \$110,000.
Converting Boiler #3 to Oil or Gas/Design of Baghouse, Capitol Power Plant, \$900,000.

FISCAL YEAR 1989

West Front Terrace, \$9,820,000.
Additional Office & Committee Space in Courtyard Areas/WCF, \$7,000,000.
House Publications Facility, \$170,000.
House Restaurant Kitchen Pantry, \$120,000.

FISCAL YEAR 1990

Additional Warehouse Space, \$410,000.
Improved Street Lighting, \$50,000.

FISCAL YEAR 1991

Repair Leaks, Renovate Space, Cannon Building, \$1,000,000.

Planning and Design, Capitol Visitors Center, \$180,000.
Procurement of Six Weapon Detection Portals.
Convert Six Positions to High Priority Needs.
Renovate Vacated Space, Capitol Building, \$314,000.
Transfer of Collection/Demolition of Palm House, \$456,600.
Additional Funds for Planning & Design, Capitol Visitor Center, \$15,500.

LIBRARY OF CONGRESS REPROGRAMMING REQUESTS— FISCAL YEARS 1987-91

| Subject | Amount | Action |
|-------------------------------------|-----------|---------------|
| Fiscal 1991: | | |
| Arrearage space | \$800,000 | Not approved. |
| Copyright Office optical disk | 500,000 | Approved. |
| Metal detectors | 42,300 | Not approved. |
| Automation needs | 527,000 | Approved. |
| National demonstration lab | 110,000 | Not approved. |
| Fiscal 1990: | | |
| Space Rental—Manila | 25,000 | Approved. |
| Fiscal 1989: | | |
| Bicentennial of the Congress | 250,000 | Approved. |
| Fiscal 1988: | | |
| Management study | 400,000 | Approved. |
| Development Office staff | 68,000 | Do. |
| Fiscal 1987: | | |
| Binding contracts | 250,000 | Approved. |
| Automation contracts | 900,000 | Do. |
| Space Rental—Taylor Street | 650,000 | Do. |
| Sound reproduction support | 789,500 | Do. |

Mr. MCEWEN. Mr. Speaker, as I understood it, the gentleman from California was going to engage in a colloquy with the other gentleman from California, both members of the Subcommittee on Legislative Appropriations.

The SPEAKER pro tempore (Mr. LEWIS of Georgia). The time of the gentleman from California [Mr. FAZIO] has expired.

Mr. MCEWEN. Mr. Speaker, does the gentleman request additional time?

Mr. FAZIO. Mr. Speaker, I will be happy to use any time that is available to the gentleman from Ohio [Mr. MCEWEN] on his side. I believe the gentleman from South Carolina [Mr. DERRICK] has given me about all the time he can.

Mr. MCEWEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. I thank the gentleman for yielding.

Mr. Speaker, I would hope that the chairman [Mr. FAZIO] would be around when we have the discussion of the Michel substitute, for I do believe we need to spend some time on this subject if we are going to be able to continue in the kind of bipartisan effort we have had in the past regarding the work of our subcommittee.

Mr. FAZIO. If the gentleman would yield, I do not believe we have ever had a disagreement on any of the reprogramming requests that we have had. Whenever that has occurred, we have often withdrawn them in deference to the minority. I would hope that would continue.

Mr. LEWIS of California. Mr. Speaker, I presume the chairman understands that we have a brandnew ball game when suddenly you are in a circumstance where moneys are held over

and they stay there forever to be used for purposes of the House and suddenly we find ourselves in this sort of very, very partisan environment that would totally suggest that excess moneys could be used for partisan purposes in the future. We need to discuss this thoroughly. We could have great difficulty in our subcommittee.

Mr. FAZIO. If the gentleman would yield, I certainly hope we would not have that opportunity nor take it if it was available.

Mr. MCEWEN. Would the Chair inform this gentleman as to how much times remains?

The SPEAKER pro tempore. The gentleman from Ohio [Mr. MCEWEN] has 5 minutes remaining, and the gentleman from South Carolina [Mr. DERRICK] has 1½ minutes remaining.

Mr. MCEWEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I insert in the RECORD at this point a statement by Reuters News Service, dated August 10, 1980, which says:

President Carter said tonight he had intelligence reports that Iran intended to hold the U.S. hostages seized in November until after the presidential election to try to influence the way Americans voted. We have had intelligence reports from quite early this year that the Ayatollah Khomeini maybe considered holding the hostages until after our election to try to influence American voters and how they voted.

I do not know if that is an accurate account. Now, that was the President.

Mr. Speaker, 12 years later we have an effort come to the floor tonight that absolutely makes sleaze look clean. It is an effort to misrepresent activities in 1980, to set up a committee to investigate, for which there is no legislative authority, there is no goal, there is no—nothing that can be accomplished except to provide a forum, to provide a partisan political forum in which Democrats can use to invite any Tom, Dick, and Harry they can find to come in and spread this story across the political pages of the newspapers over the next 7 or 8 months.

This is activity unbecoming anyone who believes in the democratic process.

□ 1810

Mr. Speaker, the investigation has already gone forth, as we have discussed earlier, by the Tower Commission, by the Iran-Contra Committee, by the special prosecutor, by the Committee on Intelligence, by the various Foreign Relations Committees. Why do they need this one? I will tell you why they need this special committee: They need this special committee because abiding by the rules of this House ties their hands for the goals that they have. They cannot engage in the partisan political activity that is the purpose of this task force because, if they use the standing committees of the House, they have to report where the money comes from, they have to invite

Republicans to attend, they have to bide by the rules of the House, and, under this rule, we are preempted from having any right to insert any of those prerogatives upon this particular task force. We wanted to have the rules of the House apply, and twice, by a partisan vote, the Democrats on that side of the aisle denied the right to have the House rules apply to this task force. We wanted to limit expenditures, and they said, "Absolutely not. We don't know what the election might be like and how much we might need." We said we wanted to limit the time so it reports at a decent time. They said, "No, we don't want to be involved in anything like that." We said that we would like to save the taxpayers some time, money, and effort and cooperate with the Senate. They said, "No, we're going to defeat that on a party line vote."

When the chairman of this task force, the gentleman from Indiana in testifying before the Committee on Rules was asked, "Would you be willing to look into both sides of this issue, recognizing that this Sick fellow, when he wrote his books, said they had made a bargain with Khomeini to give them a \$150 million in cash immediately before the election"; under the alleged scandal, October Surprise, they said that Mr. Reagan offered \$40 million after he got elected. Now, anybody with two brain cells accidentally can figure out that, if a sitting President offers you a \$150 million cash on the barrelhead, and some candidate for President offers \$40 million 4 months down the line, they are going to take the bigger price; right, from the person who has the capacity to deliver? Common sense would dictate that.

In addition the gentleman from Indiana said, "Of course. We would have to look at both of those matters to have any semblance of fairness," and so what did the Democrats on the Committee on Rules do? They went back and excised the portion that gave him that option to be fair, and so under no circumstances can this task force look at the activities of the Carter administration in the 1980 election.

Mr. Speaker, this is only an effort to smear George Bush and Ronald Reagan in the 1980 election, and that is why they are doing what they are doing.

As my colleagues know, every one of us has to go home on weekends, and we have got to stand up there, and they say, "You're a Member of Congress." They do not know that no Republican in my lifetime has ever chaired a committee, ever been allowed to call a witness, ever been allowed to do anything, but we have to answer for all of this. We are responsible for this, and I do not know, quite frankly, how to do it.

Democrats, colleagues of mine, have called my office over the past 6 weeks and said they know this is not right. They feel sullied by it. They thought it

was dead, where it belonged, where it should have been left. They did not think the first thing we did when we came back at the beginning of the second session of the 102d Congress is to poison the well with the activity that we have had here today, to ramrod this thing through in a partisan vote, to use the constitutional authority of the Congress to play in a partisan political game to smear Ronald Reagan and George Bush. They have all the committees of the House. They own every one of them. They do not even allow the Republicans to find out what they are doing. They can use any of those, but they want to have even more authority where they do not even have to invite the Republicans to attend. They can send their staff members to take these depositions. They can hold their press conferences and try to do all they can to subvert the political process, and, if anybody has any principle at all, they would stand up here and vote what is right.

Let us defeat this rule.

Mr. DERRICK. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. LEWIS of Georgia). The gentleman from South Carolina [Mr. DERRICK] is recognized for 1½ minutes.

Mr. DERRICK. Mr. Speaker, I will not try to rebut all of that. We are all men and women of good faith. But I have a letter here that has been signed by 15 of the ex-hostages, and I just want to read the last paragraph. I know it is my feelings, it is their feelings, and, I think, the feelings of most people who want to put this matter to rest:

Although we sincerely hope the allegations can be proved false, the decision to move ahead can not be based on what we anticipate the outcome to be. We urge you—the leaders of Congress—to move this investigation forward and insure that dignity, rather than fear, will guide this process to a just conclusion.

Mr. Speaker, that is what we all want, that is what we all hope, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DERRICK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 251, nays 161, not voting 22, as follows:

[Roll No. 9]

YEAS—251

| | | |
|---------------|---------------|---------------|
| Abercrombie | Guarini | Parker |
| Ackerman | Hall (OH) | Pastor |
| Alexander | Hall (TX) | Patterson |
| Anderson | Hamilton | Payne (NJ) |
| Andrews (ME) | Harris | Payne (VA) |
| Andrews (NJ) | Hatcher | Pease |
| Andrews (TX) | Hayes (IL) | Pelosi |
| Annunzio | Hayes (LA) | Penny |
| Anthony | Hefner | Perkins |
| Applegate | Hertel | Peterson (FL) |
| Aspin | Hoagland | Peterson (MN) |
| Atkins | Hochbrueckner | Pickett |
| AuCoin | Horn | Pickle |
| Bacchus | Hoyer | Poshard |
| Barnard | Hubbard | Price |
| Bellenson | Huckaby | Rahall |
| Bennett | Hughes | Rangel |
| Berman | Jefferson | Ray |
| Bevill | Jenkins | Reed |
| Bilbray | Johnson (SD) | Richardson |
| Blackwell | Johnston | Roe |
| Bonior | Jones (GA) | Roemer |
| Borski | Jones (NC) | Rose |
| Boucher | Jontz | Rostenkowski |
| Boxer | Kanjorski | Rowland |
| Brewster | Kaptur | Roybal |
| Brooks | Kennedy | Russo |
| Browder | Kennelly | Sabo |
| Brown | Kildee | Sanders |
| Bruce | Kleczka | Sangmeister |
| Bryant | Kopetski | Sarpalius |
| Bustamante | Kostmayer | Savage |
| Byron | LaFalce | Sawyer |
| Campbell (CO) | Lancaster | Scheuer |
| Cardin | LaRocco | Schroeder |
| Carper | Laughlin | Schumer |
| Carr | Lehman (CA) | Serrano |
| Chapman | Lehman (FL) | Sharp |
| Clement | Levin (MI) | Sikorski |
| Collins (IL) | Lewis (GA) | Siskis |
| Collins (MI) | Lipinski | Skaggs |
| Condit | Lloyd | Skelton |
| Conyers | Long | Slattery |
| Cooper | Lowey (NY) | Slaughter |
| Costello | Luken | Smith (FL) |
| Cox (IL) | Manton | Smith (IA) |
| Coyne | Markey | Solarz |
| Cramer | Martinez | Spratt |
| Darden | Matsui | Staggers |
| DeLauro | Mavroules | Stallings |
| Dellums | Mazzoli | Stenholm |
| Derrick | McCloskey | Stokes |
| Dicks | McCurdy | Studds |
| Dingell | McDermott | Swett |
| Dixon | McHugh | Swift |
| Donnelly | McMillen (MD) | Synar |
| Dooley | McNulty | Tallon |
| Dorgan (ND) | Mfume | Tanner |
| Downey | Miller (CA) | Tauzin |
| Durbin | Mineta | Taylor (MS) |
| Dwyer | Mink | Thornton |
| Early | Moakley | Torres |
| Edwards (TX) | Mollohan | Torricelli |
| Engel | Montgomery | Towns |
| English | Moody | Trafiac |
| Erdreich | Moran | Traxler |
| Espy | Murphy | Unsoeld |
| Evans | Murtha | Valentine |
| Fascell | Nagle | Vento |
| Fazio | Natcher | Visclosky |
| Feighan | Neal (MA) | Volkmer |
| Flake | Neal (NC) | Washington |
| Foglietta | Nowak | Waters |
| Ford (MI) | Oakar | Waxman |
| Ford (TN) | Oberstar | Weiss |
| Frank (MA) | Obey | Wheat |
| Frost | Olin | Williams |
| Gejdenson | Oliver | Wilson |
| Gephardt | Ortiz | Wise |
| Geren | Orton | Wolpe |
| Gibbons | Owens (NY) | Wyden |
| Glickman | Owens (UT) | Yates |
| Gonzalez | Pallone | Yatron |
| Gordon | Panetta | |

NAYS—161

| | | |
|-----------|-----------|------------|
| Allard | Barrett | Bliley |
| Allen | Barton | Boehert |
| Archer | Bateman | Boehner |
| Armey | Bentley | Broomfield |
| Baker | Bereuter | Bunning |
| Ballenger | Bilirakis | Burton |

| | | | | | | | | |
|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Callahan | Hopkins | Ravenel | Applegate | Hefner | Payne (VA) | Fields | Lewis (CA) | Rogers |
| Camp | Horton | Regula | Aspin | Hertel | Pease | Fish | Lewis (FL) | Rohrabacher |
| Campbell (CA) | Houghton | Rhodes | Atkins | Hoagland | Pelosi | Franks (CT) | Livingston | Ros-Lehtinen |
| Chandler | Hunter | Ridge | AuCoin | Hochbrueckner | Penny | Gallely | Lowery (CA) | Roth |
| Clinger | Hyde | Riggs | Bacchus | Horn | Perkins | Gallo | Machtley | Roukema |
| Coble | Inhofe | Rinaldo | Barnard | Hoyer | Peterson (FL) | Gekas | Marlenee | Santorum |
| Coleman (MO) | Jacobs | Ritter | Bellenson | Hubbard | Peterson (MN) | Gilchrist | Martin | Saxton |
| Combest | James | Roberts | Bennett | Huckaby | Pickett | Gillmor | McCandless | Schaefer |
| Coughlin | Johnson (CT) | Rogers | Berman | Hughes | Poshard | Gilman | McCollum | Schiff |
| Cox (CA) | Kasich | Rohrabacher | Bevill | Jacobs | Price | Gingrich | McCrery | Schulze |
| Crane | Klug | Ros-Lehtinen | Billbray | Jefferson | Rahall | Goodling | McDade | Sensenbrenner |
| Cunningham | Kolbe | Roth | Bonior | Jenkins | Rangel | Goss | McEwen | Shaw |
| Davis | Kyl | Roukema | Borski | Johnson (SD) | Ray | Gradison | McGrath | Shays |
| DeLay | Lagomarsino | Santorum | Boucher | Johnston | Reed | Grandy | McMillan (NC) | Shuster |
| Dickinson | Leach | Saxton | Boxer | Jones (GA) | Richardson | Green | Meyers | Skeen |
| Doolittle | Lent | Schaefer | Brewster | Jones (NC) | Roe | Gunderson | Michel | Smith (NJ) |
| Dorman (CA) | Lewis (CA) | Schiff | Brooks | Jontz | Roemer | Hammerschmidt | Miller (OH) | Smith (OR) |
| Dreier | Lewis (FL) | Schulze | Browder | Kanjorski | Rose | Hancock | Miller (WA) | Smith (TX) |
| Duncan | Livingston | Sensenbrenner | Brown | Kaptur | Rostenkowski | Hansen | Molinari | Snowe |
| Edwards (OK) | Lowery (CA) | Shaw | Bruce | Kennedy | Rowland | Hastert | Moorhead | Solomon |
| Emerson | Machtley | Shays | Bryant | Kennelly | Roybal | Hefley | Morella | Spence |
| Ewing | Marlenee | Shuster | Bustamante | Kildea | Russo | Henry | Myers | Stearns |
| Fawell | Martin | Skeen | Byron | Kieciska | Sabo | Herger | Nichols | Stump |
| Fields | McCandless | Smith (NJ) | Campbell (CO) | Kopetski | Sanders | Hobson | Nussle | Sundquist |
| Fish | McCollum | Smith (OR) | Cardin | Kostmayer | Sangmeister | Holloway | Oxley | Taylor (NC) |
| Franks (CT) | McCrery | Smith (TX) | Carper | LaFalce | Sarpalius | Hopkins | Packard | Thomas (WY) |
| Gallely | McDade | Snowe | Carr | Lancaster | Savage | Horton | Paxon | Upton |
| Gallo | McEwen | Solomon | Chapman | LaRocco | Sawyer | Houghton | Petri | Vander Jagt |
| Gekas | McGrath | Spence | Clement | Laughlin | Scheuer | Hunter | Porter | Vucanovich |
| Gilchrist | McMillan (NC) | Stearns | Collins (IL) | Lehman (CA) | Schroeder | Hyde | Pursell | Walker |
| Gillmor | Meyers | Stump | Collins (MI) | Lehman (FL) | Schumer | Inhofe | Quillen | Walsh |
| Gilman | Michel | Sundquist | Condit | Levin (MI) | Serrano | James | Ramstad | Weber |
| Gingrich | Miller (OH) | Taylor (NC) | Conyers | Lewis (GA) | Sharp | Johnson (CT) | Ravenel | Weldon |
| Goodling | Miller (WA) | Thomas (WY) | Cooper | Lipinski | Sikorski | Kasich | Regula | Wolf |
| Goss | Molinari | Upton | Costello | Lloyd | Siskis | Rhodes | Ridge | Wyllie |
| Gradison | Moorhead | Vander Jagt | Cox (IL) | Long | Skaggs | Kolbe | Riggs | Young (AK) |
| Grandy | Morella | Vucanovich | Coyne | Lowey (NY) | Skelton | Kyl | Riggs | Young (FL) |
| Green | Myers | Walker | Cramer | Manton | Slattery | Lagomarsino | Rinaldo | Zeliff |
| Gunderson | Nichols | Walsh | Darden | Markey | Slaughter | Leach | Ritter | Zimmer |
| Hammerschmidt | Nussle | Weber | DeLauro | Martinez | Smith (FL) | Lent | Roberts | |
| Hancock | Oxley | Weldon | Dellums | Matsui | Smith (IA) | | | |
| Hansen | Packard | Wolf | Derrick | Mavroules | Solarz | | | |
| Hastert | Paxon | Wyllie | Dicks | Mazzoli | Spratt | Army | Edwards (CA) | Lightfoot |
| Hefley | Petri | Young (AK) | Dingell | McCloskey | Staggers | Blackwell | Frost | Luken |
| Henry | Porter | Young (FL) | Dixon | McCurdy | Stallings | Clay | Gaydos | Morrison |
| Herger | Pursell | Zeliff | Donnelly | McDermott | Stenholm | Coleman (TX) | Hall (TX) | Mrazek |
| Hobson | Quillen | Zimmer | Dooley | McHugh | Stokes | Dannemeyer | Hutto | Pickle |
| Holloway | Ramstad | | Dorgan (ND) | McMillen (MD) | Studds | de la Garza | Ireland | Stark |
| | | | Downey | McNulty | Swett | DeFazio | Johnson (TX) | Thomas (CA) |
| | | | Durbin | Mfume | Swift | DeLay | Kolter | Thomas (GA) |
| | | | Dwyer | Miller (CA) | Synar | Dymally | Lantos | Whitten |
| | | | Early | Mineta | Tallon | Eckart | Levine (CA) | |
| | | | Edwards (TX) | Mink | Tanner | | | |
| | | | Engel | Moakley | Tauzin | | | |
| | | | English | Mollohan | Taylor (MS) | | | |
| | | | Erdreich | Montgomery | Thornton | | | |
| | | | Espy | Moody | Torres | | | |
| | | | Evans | Moran | Torricelli | | | |
| | | | Fascell | Murphy | Towns | | | |
| | | | Fazio | Murtha | Trafficant | | | |
| | | | Feighan | Nagle | Traxler | | | |
| | | | Flake | Natcher | Unsoeld | | | |
| | | | Foglietta | Neal (MA) | Valentine | | | |
| | | | Ford (MI) | Neal (NC) | Vento | | | |
| | | | Ford (TN) | Nowak | Visclosky | | | |
| | | | Frank (MA) | Oakar | Volkmer | | | |
| | | | Gejdenson | Oberstar | Washington | | | |
| | | | Gephardt | Obey | Waters | | | |
| | | | Geren | Olin | Waxman | | | |
| | | | Gibbons | Oliver | Weiss | | | |
| | | | Glickman | Ortiz | Wheat | | | |
| | | | Gonzalez | Orton | Williams | | | |
| | | | Gordon | Owens (NY) | Wilson | | | |
| | | | Guarini | Owens (UT) | Wise | | | |
| | | | Hall (OH) | Pallone | Wolpe | | | |
| | | | Hamilton | Panetta | Wyden | | | |
| | | | Harris | Parker | Yates | | | |
| | | | Hatcher | Pastor | Yatron | | | |
| | | | Hayes (IL) | Patterson | | | | |
| | | | Hayes (LA) | Payne (NJ) | | | | |

NOT VOTING—22

| | | |
|--------------|--------------|-------------|
| Clay | Gaydos | Morrison |
| Coleman (TX) | Hutto | Mrazek |
| Dannemeyer | Ireland | Stark |
| de la Garza | Johnson (TX) | Thomas (CA) |
| DeFazio | Kolter | Thomas (GA) |
| Dymally | Lantos | Whitten |
| Eckart | Levine (CA) | |
| Edwards (CA) | Lightfoot | |

□ 1839

The Clerk announced the following pairs:

On this vote:

Mr. Eckart for, with Mr. Johnson of Texas against.

Mr. Dymally for, with Mr. Thomas of California against.

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LEWIS of Georgia). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 247, nays 158, not voting 29, as follows:

[Roll No. 10]

YEAS—247

| | | |
|-------------|--------------|--------------|
| Abercrombie | Anderson | Andrews (TX) |
| Ackerman | Andrews (ME) | Annunzio |
| Alexander | Andrews (NJ) | Anthony |

| | | |
|-----------|---------------|--------------|
| Allard | Boehner | Cox (CA) |
| Allen | Broomfield | Crane |
| Archer | Bunning | Cunningham |
| Baker | Burton | Davis |
| Ballenger | Callahan | Dickinson |
| Barrett | Camp | Doolittle |
| Barton | Campbell (CA) | Dornan (CA) |
| Bateman | Chandler | Dreier |
| Bentley | Clinger | Duncan |
| Bereuter | Coble | Edwards (OK) |
| Billrakis | Coleman (MO) | Emerson |
| Bliley | Combest | Ewing |
| Boehert | Coughlin | Fawell |

NAYS—158

| | |
|---------------|--------------|
| Boehner | Cox (CA) |
| Broomfield | Crane |
| Bunning | Cunningham |
| Burton | Davis |
| Callahan | Dickinson |
| Camp | Doolittle |
| Campbell (CA) | Dornan (CA) |
| Chandler | Dreier |
| Clinger | Duncan |
| Coble | Edwards (OK) |
| Coleman (MO) | Emerson |
| Combest | Ewing |
| Coughlin | Fawell |

NOT VOTING—29

| | | |
|--------------|--------------|-------------|
| Army | Edwards (CA) | Lightfoot |
| Blackwell | Frost | Luken |
| Clay | Gaydos | Morrison |
| Coleman (TX) | Hall (TX) | Mrazek |
| Dannemeyer | Hutto | Pickle |
| de la Garza | Ireland | Stark |
| DeFazio | Johnson (TX) | Thomas (CA) |
| DeLay | Kolter | Thomas (GA) |
| Dymally | Lantos | Whitten |
| Eckart | Levine (CA) | |

□ 1902

The Clerk announced the following pairs:

On this vote:

Mr. Eckart for, with Mr. Johnson of Texas against.

Mr. DeFazio for, with Mr. Thomas of California against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 7, 1992

Mr. DYMALLY. Mr. Speaker, due to a medical appointment in Los Angeles, I was unable to vote on H.R. 4095, the Emergency Unemployment Compensation Act and House Resolution 258, the October Surprise task force resolution.

Had I been present, I would have voted "yea" on both bills.

PERSONAL EXPLANATION

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 1992

Mr. DANNEMEYER. Mr. Speaker, I was unavoidably absent for rollcall votes 9 through 16. Had I been present during these votes, I would have voted "nay" on rollcall votes 9 through 11, "yea" on rollcall vote 12, and "nay" on rollcall votes 13 through 16.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. HOYER. Mr. Speaker, I offer a privileged resolution (H. Res. 344), and I ask for its immediate consideration.

The Clerk read the resolution, as follows:

The following named Members be and they are hereby elected to the following standing committees of the House of Representatives: Committee on Veterans Affairs: Bob Clement, of Tennessee.

Committee on Merchant Marine and Fisheries: Lucien Blackwell of Pennsylvania.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CREATING A TASK FORCE TO INVESTIGATE CERTAIN ALLEGATIONS CONCERNING THE HOLDING OF AMERICANS AS HOSTAGES BY IRAN IN 1980

Mr. DERRICK. Mr. Speaker, pursuant to House Resolution 303, I call up the resolution (H. Res. 258) creating a task force of members of the Foreign Affairs Committee to investigate certain allegations concerning the holding of Americans as hostages by Iran in 1980, and ask for its immediate consideration.

The Clerk read the title of the resolution.

POINT OF ORDER

Mr. MCEWEN. Mr. Speaker, I make a point of order against House Resolution 258 on grounds that it is in violation of clause 5(a) of House rule XI, and I ask to be heard on my point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. MCEWEN. I thank the Chair.

Mr. Speaker, House rule XI, clause 5(a) provides that whenever a committee, commission or other entity is to be granted authorization for the payment from the contingent fund of the House of its expenses in any year, "such authorization initially shall be procured by one primary expense resolution for the committee, commission or other entity."

The rule goes on to require that "any such primary expense resolution reported to the House shall not be considered in the House unless a printed report on that resolution" shall "state

the total amount of the funds to be provided to the committee, commission or other entity under the primary expense resolution for all anticipated activities and programs * * *."

Mr. Speaker, it is my assumption that this resolution, which was reported by the House Administration and authorizes the payment of expenses from the contingent fund, is the primary expense resolution for the task force. And yet the committee report on this resolution, House Report 102-296, part II, does not "state the total amount of funds to be provided" as required by rule XI, clause 5(a).

If, on the other hand, it is argued that House Resolution 258 is not a primary expense resolution, then it is not in order since House rule XI, clause 5(a) requires that whenever any entity such as this task force is to be granted authorization for the payment of expenses from the contingent fund, and I quote, "such authorization initially shall be procured by one primary expense resolution for the committee, commission or other entity." In other words, this resolution is not in order until after a primary expense resolution has been adopted by this House.

I urge that my point of order be sustained.

The SPEAKER pro tempore. Does the gentleman from South Carolina desire to be heard on the point of order?

Mr. DERRICK. Mr. Speaker, under clause 5(c), the funds will be provided to the Committee on Foreign Affairs and they will, in turn, provide the funds to the subcommittee, I mean to the committee that we are establishing.

Mr. MCEWEN. Mr. Speaker, does Chairman WHITTEN share that view?

The SPEAKER pro tempore. Does the gentleman wish to be heard further on the point of order?

Mr. DERRICK. Mr. Speaker, I would be glad to read clause 5(c) on page 482 of the House Rules Manual. I would be glad to read that for you.

Mr. MCEWEN. Mr. Speaker, do I understand the gentleman to say that the money is coming from the Committee on Foreign Affairs funds; is that what he is saying?

Mr. DERRICK. Mr. Speaker, the House Administration Committee, in its forthcoming resolution, will provide funds to the Committee on Foreign Affairs and they will provide it to the committee that is being established. And this authority is provided under 5(c).

The SPEAKER pro tempore. Does the gentleman desire to be heard further on the point of order?

Mr. WALKER. Mr. Speaker, I wish to be heard.

Mr. Speaker, it sounds to me as though the gentleman from South Carolina is contending that the money is previously authorized under the House Administration's budget and so

therefore the money is allocated there. When the House Administration Committee's budget was put into place, there was absolutely nothing in the House Administration budget which indicated that this task force was going to be formed. The new entity being created under the rules is the entity of the task force. It is that entity to which the gentleman from Ohio has referred, it is that entity to which the House rules speak. Either the House rules are going to apply to this or we are going to completely abandon any pretense that the House rules have meaning with regard to spending. This is very much of a spending issue because if in fact we do not obey House rules there, we have open ended the fund for this task force for as far out into the future as we can see.

The SPEAKER pro tempore (Mr. OBEY). The Chair is prepared to rule unless the gentleman from Ohio wishes to be heard further on his point of order.

Mr. MCEWEN. Mr. Speaker, I would only say as a member of the Committee on Rules, reading the rules, it says that if we are going to spend money, it has to be authorized under a resolution. It is not before us. There is no rule that permits us to proceed at this time.

The SPEAKER pro tempore (Mr. OBEY). The gentleman from Ohio, in a point of order, suggests to the House that under rule XI, clause 5(a), there needs to be a total amount stated in the report of the Committee on House Administration for funding of the task force, and the Chair would simply point out that the primary expense resolution for the Committee on Foreign Affairs and all other committees will be reported to the House later this year.

As the gentleman from South Carolina has attempted to point out to the House, clause 5(c) of rule XI reads as follows:

The preceding provisions of this clause do not apply to—

(1) any resolution providing for the payment from the contingent fund of the House of sums necessary to pay compensation for staff services performed for, or to pay other expenses of, any committee, commission or other entity at any time from and after the beginning of any year and before the date of adoption by the House of the primary expense resolution providing funds to pay the expenses of that committee, commission or other entity for that year;

□ 1910

It is the ruling of the Chair at this time that the task force comes under that exception. The task force is a subunit of the Committee on Foreign Affairs and not a separate entity.

The point of order is, therefore, overruled.

Mr. WALKER. Mr. Speaker, I respectfully appeal the ruling of the Chair.

The SPEAKER pro tempore (Mr. OBEY). The gentleman from Pennsylvania

nia [Mr. WALKER] appeals the ruling of the Chair.

The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. DERRICK

Mr. DERRICK. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. DERRICK moves to lay on the table the appeal by the gentleman from Pennsylvania [Mr. WALKER] on the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from South Carolina [Mr. DERRICK].

The question was taken; and on a division (demanded by Mr. WALKER) there were—ayes 19, noes 29.

Mr. DERRICK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 227, nays 150, not voting 57, as follows:

[Roll No. 11]

YEAS—227

| | | |
|---------------|---------------|-------------|
| Abercrombie | Dellums | Jones (NC) |
| Ackerman | Derrick | Jontz |
| Alexander | Dicks | Kanjorski |
| Anderson | Dixon | Kaptur |
| Andrews (ME) | Donnelly | Kennedy |
| Andrews (NJ) | Dooley | Kennelly |
| Andrews (TX) | Dorgan (ND) | Kildee |
| Annunzio | Durbin | Kleczka |
| Anthony | Dwyer | Kopetski |
| Applegate | Early | Kostmayer |
| Aspin | Edwards (TX) | LaFalce |
| Atkins | Engel | LaRocco |
| AuCoin | English | Laughlin |
| Bacchus | Erdreich | Lehman (CA) |
| Barnard | Espy | Lehman (FL) |
| Beilenson | Evans | Levin (MI) |
| Bennett | Fascell | Lewis (GA) |
| Berman | Fazio | Lipinski |
| Bevill | Feighan | Lloyd |
| Bilbray | Flake | Long |
| Blackwell | Ford (MI) | Lowey (NY) |
| Bonior | Ford (TN) | Luken |
| Borski | Frank (MA) | Manton |
| Boucher | Frost | Markey |
| Boxer | Gejdenson | Martinez |
| Brewster | Gephardt | Matsui |
| Brooks | Geren | Mavroules |
| Browder | Gibbons | Mazzoli |
| Brown | Glickman | McCurdy |
| Bruce | Gonzalez | McDermott |
| Bryant | Gordon | McHugh |
| Bustamante | Guarini | McNulty |
| Byron | Hall (OH) | Mfume |
| Campbell (CO) | Hall (TX) | Mineta |
| Cardin | Hamilton | Mink |
| Carper | Harris | Moakley |
| Carr | Hatcher | Mollohan |
| Clement | Hayes (IL) | Montgomery |
| Collins (IL) | Hayes (LA) | Moody |
| Collins (MI) | Hefner | Moran |
| Condit | Hoagland | Murphy |
| Cooper | Hochbrueckner | Murtha |
| Costello | Horn | Nagle |
| Cox (IL) | Hoyer | Natcher |
| Coyne | Hubbard | Neal (MA) |
| Cramer | Huckaby | Neal (NC) |
| Darden | Hughes | Nowak |
| de la Garza | Jefferson | Oakar |
| DeLauro | Johnston | Obey |

| | | |
|---------------|--------------|-------------|
| Olin | Roe | Studds |
| Oliver | Roemer | Swift |
| Ortiz | Rose | Tallion |
| Orton | Rostenkowski | Tanner |
| Owens (NY) | Rowland | Tauzin |
| Pallone | Roybal | Taylor (MS) |
| Panetta | Sanders | Thornton |
| Parker | Sangmeister | Torricelli |
| Pastor | Sarpaluis | Trafilant |
| Patterson | Savage | Traxler |
| Payne (NJ) | Sawyer | Unsoeld |
| Payne (VA) | Scheuer | Vento |
| Pease | Schroeder | Visclosky |
| Pelosi | Schumer | Volkmer |
| Penny | Serrano | Washington |
| Perkins | Sikorski | Waters |
| Peterson (FL) | Sisisky | Waxman |
| Peterson (MN) | Skaggs | Weiss |
| Pickett | Skelton | Wheat |
| Pickle | Slattery | Williams |
| Poshard | Slaughter | Wilson |
| Price | Smith (FL) | Wise |
| Rahall | Solarz | Wolpe |
| Rangel | Spratt | Wyden |
| Ray | Stallings | Yates |
| Reed | Stenholm | Yatron |
| Richardson | Stokes | |

NAYS—150

| | | |
|---------------|---------------|---------------|
| Allard | Gradison | Nussle |
| Allen | Grandy | Packard |
| Archer | Green | Paxon |
| Armey | Gunderson | Petri |
| Baker | Hammerschmidt | Porter |
| Ballenger | Hancock | Quillen |
| Barrett | Hansen | Ramstad |
| Barton | Hastert | Ravenel |
| Bateman | Hefley | Regula |
| Bentley | Henry | Rhodes |
| Bereuter | Herger | Ridge |
| Bilirakis | Hobson | Riggs |
| Billey | Holloway | Rinaldo |
| Boehert | Hopkins | Roberts |
| Boehner | Horton | Rohrabacher |
| Broomfield | Houghton | Ros-Lehtinen |
| Burton | Hunter | Roth |
| Callahan | Hyde | Roukema |
| Camp | Inhofe | Santorum |
| Campbell (CA) | James | Saxton |
| Chandler | Johnson (CT) | Schaefer |
| Clinger | Kasich | Schiff |
| Coble | Klug | Sensenbrenner |
| Combest | Kolbe | Shays |
| Coughlin | Kyl | Shuster |
| Cox (CA) | Lagomarsino | Skeen |
| Crane | Leach | Smith (NJ) |
| Cunningham | Lewis (CA) | Smith (OR) |
| DeLay | Lewis (FL) | Smith (TX) |
| Dickinson | Livingston | Snowe |
| Doolittle | Lowery (CA) | Solomon |
| Dornan (CA) | Machtley | Spence |
| Dreier | Marlenee | Stearns |
| Duncan | Martin | Stump |
| Edwards (OK) | McCandless | Sundquist |
| Emerson | McCollum | Taylor (NC) |
| Ewing | McCrery | Thomas (WY) |
| Fawell | McDade | Upton |
| Fields | McEwen | Vander Jagt |
| Fish | McGrath | Vucanovich |
| Franks (CT) | McMillan (NC) | Walker |
| Gallely | Meyers | Walsh |
| Gallo | Michel | Weber |
| Gekas | Miller (OH) | Weldon |
| Gilchrest | Miller (WA) | Wolf |
| Gillmor | Molinar | Wylie |
| Gilman | Moorhead | Young (AK) |
| Gingrich | Morella | Young (FL) |
| Goodling | Myers | Zeliff |
| Goss | Nichols | Zimmer |

NOT VOTING—57

| | | |
|--------------|--------------|---------------|
| Bunning | Foglietta | Levine (CA) |
| Chapman | Gaydos | Lightfoot |
| Clay | Hertel | McCloskey |
| Coleman (MO) | Hutto | McMillen (MD) |
| Coleman (TX) | Ireland | Miller (CA) |
| Conyers | Jacobs | Morrison |
| Dannemeyer | Jenkins | Mrazek |
| Davis | Johnson (SD) | Oberstar |
| DeFazio | Johnson (TX) | Owens (UT) |
| Dingell | Jones (GA) | Oxley |
| Downey | Kolter | Pursell |
| Dymally | Lancaster | Ritter |
| Eckart | Lantos | Rogers |
| Edwards (CA) | Lantos | Russo |

□ 1936

Mr. GEJDENSON changed his vote from "nay" to "yea."

So the motion to table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRIES

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. OBEY). The gentleman will state his parliamentary inquiry.

Mr. WALKER. Mr. Speaker, the parliamentary inquiry is that the Chair in its ruling on the previous point of order indicated, and I think the video record of the House will confirm this, that the reason for the ruling was that the entity being created is a subunit of the Foreign Affairs Committee. Is that not what the Chair ruled?

The SPEAKER pro tempore. The Chair has ruled on the basis that clause 5(c) of rule XI simply provides an applicable exception, and the Chair has ruled on that basis.

Mr. WALKER. Mr. Speaker, I have a further parliamentary inquiry. My understanding of the Chair was that 5(c) applied because this was a subunit of the Foreign Affairs Committee. The Chair specifically mentioned the Foreign Affairs Committee in his ruling. It is now my understanding, after further consultation, that that is not the case, and so, therefore, the Chair's ruling was based upon an understanding which does not exist under section 5(c).

Would the Chair clarify for the House the entity we are about to create?

The SPEAKER pro tempore. Under the resolution, the task force consists of members of and reports to the Committee on Foreign Affairs. But in any event, the Chair has ruled that the clause (c) exception applies to the task force. This is the first example, since the rule cited the creation of an entity and its funding at the same time. That is why the resolution was sequentially referred to the House Administration Committee. In any event, the clause 5(c) exception applies to any entity, not to any preexisting entity.

Mr. WALKER. But as a further parliamentary inquiry, Mr. Speaker, am I not correct that the Chair previously ruled that this was a subunit of the Foreign Affairs Committee?

The SPEAKER pro tempore. That may have been the impression of the Chair at the time, but whether or not that was correct, the exception in the rule still stands.

Mr. WALKER. I have a further parliamentary inquiry. If that was the impression of the Chair at the time, is that what the Chair ruled?

The SPEAKER pro tempore. The Chair ruled as the Chair stated.

Mr. WALKER. The Chair ruled on section (c).

The SPEAKER pro tempore. On any entity being excepted under (c).

Mr. WALKER. I have a further parliamentary inquiry. The Chair ruled on section 5(c) based upon his contention that it was a subunit of the Foreign Affairs Committee. What I am seeking to find out is whether or not the Chair is now withdrawing that contention.

□ 1940

The SPEAKER pro tempore (Mr. OBEY). The Chair's ruling was based on the literal ruling of 5(c).

Mr. WALKER. I thank the Chair for pointing out it was based upon a literal ruling of 5(c). However, the specific ruling of the Chair, and again, I point out the video record of the House will certainly confirm this, that he ruled on 5(c) based upon—

The SPEAKER pro tempore. The Chair has already commented on that and does not care to repeat himself.

Mr. WALKER. I am sure the Chair does not, because I think the question here is whether or not the people who voted just to table the appeal did not do so in a wrong manner because of the Chair's previous ruling, but I thank the chair for his indulgence.

The SPEAKER pro tempore. The Chair believes the underlying ruling was correct.

Mr. McEWEN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. McEWEN. Mr. Speaker, under my point of order under clause 5(a) of House rule XI, I stated that the new entity being created by the resolution currently before us had to meet the requirements of that. You have stated now that this new entity is a subunit.

Can the Chair rule for me the circumstances under which my rule cited here, clause 5(a) of rule XI, would apply ever?

The SPEAKER pro tempore. The Chair read the exception as it applies in this instance and has ruled accordingly.

Mr. McEWEN. So can the Chair state for me of an instance or example in which the rule that I cited under the belief that it applied to the House would be applicable to anything stated?

The SPEAKER pro tempore. The Chair cannot speculate about other situations, and the Chair has provided the ruling, and the House has spoken.

Mr. McEWEN. I thank the Speaker.

The SPEAKER pro tempore. Pursuant to the rule, the amendment recommended by the Committee on Rules, as modified by the amendment recommended by the Committee on House Administration, now printed in the resolution, is considered as adopted.

The text of the resolution, as amended, is as follows:

H. RES. 258

Resolved, That (1) There is hereby created a Task Force of Members of the House Committee on Foreign Affairs to Investigate Certain Allegations Concerning the Holding of Americans as Hostages by Iran in 1980, to be composed of thirteen Members of the House Committee on Foreign Affairs to be appointed by the Speaker, one of whom he shall designate as chairman. The Speaker shall, with respect to the Republican Members of the Task Force, make such appointments upon consultation with the Republican Leader. Any vacancy occurring in the membership of the Task Force shall be filled in the same manner in which the original appointment was made. The Task Force is, with respect to the matters described below, authorized and directed to conduct a full and complete investigation and study, and to make such findings as are warranted, including, where appropriate, a finding that no credible evidence can be found to support particular allegations. The Task Force is further authorized and directed to make such recommendations to the Committee on Foreign Affairs as the Task Force deems appropriate, including those concerning the amendment of existing legislation or the enactment of new legislation. The Task Force shall fulfill these functions with respect to the following matters:

(a) Communications by or on behalf of the 1980 Reagan Presidential Campaign, or individuals representing or associated with that campaign, with any person or persons representing or associated with the Iranian Government or those persons with Iran holding Americans as Hostages during 1979 and 1980;

(b) Any attempt or proposal to attempt, by the 1980 Reagan Presidential Campaign or persons representing or associated with that campaign, to delay the release of the Americans held as hostages in Iran;

(c) Any activity by the 1980 Reagan Presidential Campaign to acquire or disseminate any information relating to actions being taken or considered by the United States Government in an effort to obtain the release of the Americans being held as hostages in Iran;

(d) Any sale or other transmittal of arms, spare parts or other assistance to Iran, in 1980 or thereafter, by any person or nation, intended to delay the release of the American held as Hostages by Iran, and any approval, acquiescence or knowledge of such sales or transmittals by the 1980 Reagan Presidential Campaign or persons representing or associated with that campaign; and

(e) Any actions taken to keep any communications or actions as described above, if any such communications or actions took place, from being revealed to the Government of the United States or the American people.

(2) One-third of the members of the Task Force shall constitute a quorum for the transaction of business other than the reporting of a matter, which shall require a majority of the Task Force to be actually present, except that the Task Force may designate a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony. When a quorum for any particular purpose is present, general proxies may be counted for that purpose. The Task Force may sit while the House is reading a measure for amendment under the five-minute rule. The rules of the House shall govern the Task Force where not inconsistent

with this resolution. The Task Force shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent with this resolution or the rules of the House. Such rules may govern the conduct of the depositions, interviews, and hearings of the Task Force, including the persons present. Such rules shall provide for the protection of classified information from unauthorized disclosure.

(3) The Task Force is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or in any other country, whether the House is in session, or has adjourned; to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, calendars, recordings, data compilations from which information can be obtained, tangible objects, and other things and information of any kind as it deems necessary, including all intelligence materials however classified, White House materials, campaign materials, materials of present and former government officials and materials pertaining to unvouchered expenditures or concerning communications interceptions or surveillance; and to obtain evidence in other appropriate countries with the cooperation of their governments and by letters rogatory, commissions, field depositions and other appropriate mechanisms. Unless otherwise determined by the Task Force the chairman, upon consultation with the ranking Republican member, on the Task Force, shall authorize and issue subpoenas. Subpoenas shall be issued under the seal of the House and attested by the Clerk, and may be served by any person designated by the chairman or any member. The Task Force may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Federal Government.

(4) The chairman, or in his absence a member designated by the chairman, shall preside at all meetings and hearings of the Task Force. All meetings and hearings of the Task Force shall be conducted in open session, unless a majority of members of the Task Force voting, there being in attendance the requisite number required for the purpose of hearings to take testimony, vote to close a meeting or hearing.

(5) The Chairman, upon consultation with the ranking Republican member, may employ and fix the compensation of such clerks, experts, consultants, technicians, attorneys, investigators, and clerical and stenographic assistants as it considers necessary to carry out the purposes of this resolution. The Task Force shall be deemed a committee of the House for all purposes of law, including House rule XI(2)(n), and sections 6005, 1505, and 1621 of title 18, section 192 of title 2, 1754(b)(1)(B)(ii) of title 22, and section 734(a) of title 31, United States Code. The Task Force may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Task Force, other than expenses in connection with meetings of the Task Force held in the District of Columbia.

(6) Unless otherwise determined by the Task Force the chairman, upon consultation with the ranking Republican member, or the Task Force, may authorize the taking of affidavits, and of depositions pursuant to notice or subpoena, by a Member or by des-

ignated staff, under oath administered by a Member or a person otherwise authorized by law to administer oaths. Deposition and affidavit testimony shall be deemed to have been taken in Washington, DC, before the Task Force once filed there with the clerk of the Task Force for the Task Force's use. Depositions shall be deemed to be taken in Executive Session.

(7) The Task Force shall be authorized to respond to any judicial or other process, or to make any applications to court, upon consultation with the Speaker consistent with rule L.

(8) The Task Force shall provide other committees and Members of the House with access to information and proceedings, consistent with rule XLVIII(7)(c): Provided, That the Task Force may direct that particular matters or classes of matter shall not be made available to any person by its members, staff, or others, or may impose any other restriction. The Task Force may require its staff to enter nondisclosure agreements and its chairman, in consultation with the ranking Republican member, may require others, such as counsel for witnesses, to do so: Provided further, That the Task Force shall, as appropriate, provide access to information and proceedings to the Speaker, the Majority Leader, the Republican Leader, and their appropriately cleared and designated staff.

(9) Authorized expenses of the Task Force for investigations and studies, including for the procurement of the services of individual consultants or organizations thereof, and for training of staff, shall be paid from the contingent fund of the House upon vouchers signed by the chairman and approved by the Chairman of the Committee on House Administration.

(10) By July 1, 1992, the Task Force shall report to the House the status of its investigation. With respect to this and any other report of the Task Force, including its final report, the report shall be accompanied by supplemental or additional minority views.

(11) At the conclusion of the existence of the Task Force all records of the Task Force shall become the records of the Committee on Foreign Affairs except for those records relating to intelligence matters which shall, upon the Task Force's designation, become the records of the House Permanent Select Committee on Intelligence.

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. DERRICK] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. MCEWEN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. DERRICK].

Mr. DERRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Resolution 258.

Mr. Speaker, House Resolution 258 would establish a special task force of members of the Committee on Foreign Affairs to investigate the so-called October surprise allegations. These allegations are extremely serious. Let me take a few moments and explain just how serious they are and why we need a formal investigation.

Literally for years rumors have circulated in this country and abroad that individuals associated with the 1980 Reagan Presidential campaign entered

into secret negotiations with the Iranians for the purpose of making sure our 52 hostages, seized in the takeover of the U.S. Embassy in Teheran on November 4, 1979, would not be released prior to the 1980 Presidential election.

The rumors are premised on the idea, widely believed in the fall of 1980, that an October surprise, or release of the hostages just prior to the election, was the only event capable of causing a majority of American voters to reelect the incumbent President, Jimmy Carter, the following month. Therefore, the theory goes, the Reagan campaign had every incentive to work behind the scenes to prevent President Carter from arranging an October surprise, and actually did so.

It is alleged that through a series of secret meetings with Iranian representatives in Madrid, Paris, and possibly elsewhere during the summer and fall of 1980, a deal was struck between individuals associated with the Reagan campaign and Iranians whereby Iran would hold the hostages until after the election in return for arms and spare parts.

These rumors received increased attention last year from Mr. Gary Sick, a former National Security Adviser to President Carter who worked in the White House during the hostage crisis. Mr. Sick, a widely respected expert on Iran, Ivy League professor, and former naval officer, wrote an article which appeared in the New York Times in April.

Mr. Sick's article detailed how during the course of researching a book he had been told repeatedly that individuals associated with the 1980 Reagan campaign had made a secret deal with the Iranians to delay the release of the hostages. In return for keeping the hostages in captivity until after the election, the Iranians were allegedly rewarded with a substantial supply of arms and spare parts for their military machine, which was almost exclusively of American origin.

Mr. Sick's article laid out the factual circumstances of 1980 which give credence to the story, including how the Carter administration's ongoing negotiations with the Iranians to secure their release seemed promising. The article also described how suddenly in October 1980, about the time the secret deal was allegedly finalized, Iran broke off negotiations with the Carter administration and began to thwart all official attempts to address the hostage issue until just before the election.

As we all know, the hostages were not released until moments after the inauguration of President Reagan on January 20, 1981. We also know arms in fact began flowing to Iran in substantial quantities immediately thereafter and continued flowing for a long period of time.

Mr. Sick's article created a sensation, not because the rumors were new,

but because he had become convinced, after years of dismissing them as fantasy, that there might be something to them.

Journalists working for various news organizations including the Public Broadcasting System documentary "Frontline," ABC News "Nightline," the German magazine *Der Spiegel*, and various others, have looked into these allegations. These investigators have found no conclusive evidence of such a deal, nor have they found conclusive evidence disproving the allegations.

What Mr. Sick and the other journalists have determined, however, is that they have taken the investigation as far as they can without the power to subpoena documents and other evidence, including sworn testimony, and the cooperation of foreign governments.

Mr. Speaker, there has never been a complete, formal investigation of these allegations by any agency or instrumentality of the U.S. Government having the benefit of subpoena power, the power to swear witnesses, and the cooperation of foreign governments.

But I am confident it is obvious to every Member of this House why we need one. Serious people have made serious allegations that private citizens associated with a Presidential campaign may have sought to undermine the foreign policy of our Government to keep 52 Americans in captivity for 3 extra months because releasing them might have benefited another candidate.

If true, Mr. Speaker, such actions would in my view come close to being treasonous. Certainly such an episode, if it happened, would have to be the lowest point in American political history, and the American people need to know the truth so they can make sure it never happens again.

If the allegations are not true, the American people have every right to know that too. Very serious allegations have been made against persons who held, and in some cases now hold, high positions in our Government.

Those persons have a right, I believe, to have their names cleared if possible. Only a thorough, formal investigation by an entity vested with subpoena power, the ability to take sworn testimony, and able to win the cooperation of foreign governments can find the truth.

Mr. Speaker, House Resolution 258 is a well-crafted measure to create such an entity, a special task force of the House. The task force would consist of 13 members of the Foreign Affairs Committee, 8 Democrats and 5 Republicans, appointed by the Speaker and the minority leader.

The resolution authorizes the task force to investigate fully the allegations which have been made. The matters to be investigated include allegations of communications by or on be-

half of the 1980 Reagan campaign with Iranians; any attempt or proposal to delay the hostages' release; any activity to acquire or disseminate information pertaining to actions being considered by the Government to obtain the hostages' release; arms sales to Iran by anyone intended to delay the hostages' release; and any actions taken to keep such actions and communications from being revealed.

The resolution authorizes the task force to make such recommendations as it sees fit to the Committee on Foreign Affairs for the enactment of appropriate legislation. The resolution requires the task force to report to the House by July 1, 1992, on the status of its investigation at which time the House may, if it chooses, vote to abandon further investigation.

Mr. Speaker, this panel will face the extremely difficult task of investigating serious, extremely sensitive allegations which are several years old, which implicate various foreign governments, and which involve numerous foreign nationals who may or may not be present in the United States and who may or may not cooperate voluntarily. As such, House Resolution 258 gives the task force the tools it will need to conduct this inquiry swiftly, economically and efficiently.

Some who oppose this investigation will criticize provisions giving the task force chairman the authority, upon consultation with his ranking minority member, to issue subpoenas; giving the task force staff the authority to take depositions; and allowing less than a majority to close meetings or hearings, among others.

Mr. Speaker, constituting a task force to look into these extraordinary allegations and not giving it extraordinary flexibility would render it difficult, if not impossible, for the panel to fulfill its tasks and reach the truth. Indeed under some scenarios involving foreign travel, requiring the task force to conform to the rules applicable to other committees would drive up the costs of the investigation substantially.

There is nothing in House Resolution 258 which prevents or in any way impairs the right of any task force member, Republican or Democrat, to participate fully in the activities of the task force. I have complete faith that the member the Speaker has wisely chosen to chair the task force, the gentleman from Indiana [Mr. HAMILTON], and the member the minority leader has wisely selected as its ranking member, the gentleman from Illinois [Mr. HYDE], will work together amicably in the spirit of bipartisan cooperation.

Moreover, Mr. Speaker, none of those who have agreed to serve on the task force will be relieved of any of his other responsibilities as a Member of this House. We must not impose upon

these members or this task force any procedural requirements which provide burdens without benefits. Their job will be difficult enough as it is, and we owe them a debt of gratitude for their willingness to undertake it.

Mr. Speaker, none of us wants to believe any political campaign would even contemplate such dastardly deeds as have been alleged, let alone consummate them. But these allegations, which have never been formally investigated, go to the very heart of our democratic form of government, and we ignore them at our peril.

Several of the hostages have called for an investigation. President Carter has called for an investigation, as have President Reagan, numerous editorial boards, commentators, and ordinary citizens. President Bush has said he would welcome an investigation.

I believe House Resolution 258 will enable the task force to investigate the October Surprise fully, fairly, expeditiously. I urge all Members to support the resolution without amendment.

I reserve the balance of my time.

□ 1950

Mr. McEWEN. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. BROOMFIELD], the distinguished ranking member of the Foreign Affairs Committee.

Mr. BROOMFIELD. Mr. Speaker, Republicans have many legitimate concerns about the motives and conduct of the proposed investigation.

The politically charged issue of dealings with the Iranians during the 1980 election deserves to be looked at fairly. Instead, for 18 months Democratic Members and staff have tried to use the power of Congress to build a case against Republicans without ever once informing the minority.

I, like other Republicans—including President Bush and former President Reagan—would be willing to support a proper inquiry. For these reasons, I will support the Michel substitute but must oppose the resolution offered by the majority.

Frankly, I doubt whether any investigation of this matter is warranted at present. The so-called evidence that has been put forward is simply too weak to justify such an expensive election year extravaganza.

Regardless of this, a small group of Democratic Members and staff have relentlessly promoted this investigation. Is it coincidental that the call for an investigation is being heard only now, nearly 12 years later and during a Presidential election year?

For months we have been subjected to a barrage of allegations from various sources that Bill Casey or others with the 1980 Reagan campaign made a deal with the Iranians to delay the release of the United States Embassy hostages. Time and time again, however, such allegations have proved unfounded.

A few months ago, two reputable magazines printed the results of their own far-reaching reviews of these allegations. Both *New Republic* and *Newsweek* concluded that the major sources for these stories lacked credibility.

Credit for reviving these old conspiracy theories is often given to Gary Sick, who was a staff member on the Carter National Security Council. In fact, Sick has been making these claims for years.

At this point I will insert an article from the *Wall Street Journal* of May 2, 1991, as follows:

[From the *Wall Street Journal*, May 2, 1991]

GARY SICK'S SAME OLD SONG

(By Daniel Pipes)

In a *New York Times* article that has provoked international notice, Gary Sick wrote on April 15 that he had long been skeptical about the notion that Ronald Reagan's 1980 campaign managers had cut a deal with the Iranian authorities to keep American hostages in Tehran until after the election. In return, the story went, the Israeli government delivered arms to the Iranians at the behest of the new Reagan administration.

Much of the power of Mr. Sick's piece, to which the *New York Times* devoted two-thirds of its op-ed page, derived from the fact that the author had only recently, and reluctantly, been forced to give credence to these stories.

Mr. Sick's precise words bear quoting: "I first heard these rumors in 1981 and I dismissed them as fanciful. I again heard them during the 1988 election campaign, and I again refused to believe them. I had worked in and around the Middle East long enough to be skeptical of the conspiracy theories that abound in the region." It was only after compiling a massive computerized data base that he began to notice the "curious pattern" of events that led him to go public with his concerns.

But Mr. Sick seems to have forgotten his own thinking. Here is a statement he made, quoted by the *Rocky Mountain News* on Oct. 30, 1988—at the very peak of the 1988 presidential campaign—in which he discussed the possibility of a hostage deal:

"At first I dismissed this, but not any more. I'm more convinced on the basis of what I heard that there were some meetings in Paris. I know that the Iranians changed their policy at that time. . . ."

Just over a month before that, on Aug. 26, 1988, Mr. Sick told the *New York Daily News* in a telephone interview: "There is something here. I just don't know how much. . . . I have always been puzzled at why the Reagan administration gave a complete green light to Israel (to deliver arms to Iran) immediately after they took office. These people despised the ayatollah, but they let Israel go ahead with deliveries. I would certainly have to take account of this stuff if I was writing my book over again."

Mr. Sick, the principal Carter aide for Iran during the hostage crisis, author of "All Fall Down," a highly regarded book on the hostage crisis, and now an adjunct professor at Columbia, seems to have made a major error on the subject about which he is the world expert: his own mind. It could be a simple mistake; but it could also have to do with the recognition that the convert has more impact than he who is to the faith born. Simply put, had Mr. Sick acknowledged a years-long belief in Republican plotting, his account would have had far less impact.

All of this makes a difference because it is Gary Sick's stature that moved speculations about a Reagan campaign conspiracy from the fringe to the mainstream. Indeed, the subcommittee chairmen of the House Foreign Affairs Committee are scheduled to meet with Mr. Sick today, beginning a process that might lead to a full-scale investigation, by Congress or by a special prosecutor, or by both.

But the flaws in Mr. Sick's account of his own thoughts raise serious doubts about his credibility. Given the vast array of issues facing Congress, the representatives would do well to let this one drift back to the fringe where it belongs.

Sick and others have worked for months, if not years, with Democratic staff on Capitol Hill in order to get an investigation going. He and other journalists actually participated in the investigation conducted during 1990 and 1991 by the General Accounting Office at the request of a Democratic Member. Meanwhile, House Republicans were told nothing for over 6 months.

The GAO investigation shows the pitfalls of starting such a politically charged investigation without any real basis. The GAO spent over \$55,000 and devoted 85 staff days to this matter. GAO officials have testified, however, that they were not able to confirm a single allegation.

More recently, we have become aware that Democratic members and staff of the Foreign Affairs Committee continued to investigate this matter, and have even taken legal steps. The minority was not informed of these activities either.

I therefore urge Members to support the Michel substitute, which would help ensure that this investigation will be conducted in a responsible and bipartisan manner.

First, the authorizing resolution should specifically permit investigation of relevant activities of the Carter administration and campaign. This is because without such information, it is impossible to understand the activities of the Reagan team or evaluate allegations against them.

Why would the Iranians have dealt with the Reagan campaign if they already had an arrangement all but done with the Carter administration? Was the Carter plan an arms-for-hostages deal? What other activities was the Carter administration pursuing with the Iranians?

Second, the investigation must have a time limit. Otherwise it will just drag along for political purposes. Those who wish the investigation to continue beyond a certain date should be required to vote again to continue it.

Third, the funding should be more tightly controlled and a limit should be placed on expenditures. The tens of millions of dollars spent on the Iran-Contra investigation demonstrate the folly of taking the taxpayers for a ride on a political investigation.

Finally, additional procedural protections should be adopted for the mi-

nority, in accordance with the rules of the House. Our experience with this matter shows that both sides must be included in all proceedings and that the minority should be kept informed of all investigatory activities.

For these reasons, I urge all Members to oppose the resolution and support the Michel substitute.

□ 2000

Mr. McEWEN. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. I thank the gentleman for yielding this time to me.

Mr. Speaker, a student of abnormal psychology, I think, would have a field day with this excursion into political paranoia.

Not so long ago we conservatives were thought to monopolize all political paranoia; the John Birch Society found a Communist under everybody's bed; the Trilateral Commission infamously ruled the world; our President, the despised Ronald Reagan, used the term evil empire to describe a progressive socialist country and thus proved himself beyond intellectual redemption.

You do not hear much about political paranoia anymore, nor McCarthyism, for that matter, although I saw it revived here today.

Allegations without proof against people's reputations.

But the paranoia has leapt across the aisle, it has moved to the left now and in today's milieu we demonize nuclear power, for that matter.

We all remember the Silkwood movie; Oliver Stone in "JFK" stigmatized everybody except Shirley Temple.

Now, in all its Freudian glory we have the October Surprise. Richard Hofstadter wrote a book a few years ago, an interesting book, "The Paranoia Style in American Politics." It was his view in that book that Barry Goldwater supporters were paranoid. But his conclusion, nonetheless, still holds up today. He felt that paranoid fantasies develop among people who perceive a loss of power and a loss of status.

Mr. Speaker, many liberals have never gotten over the victory of Ronald Reagan. He is a usurper who has wrenched from their grasp the entitlement of high office, and he could not have won but for foul play.

So, here we are with October Surprise.

Now, those of you who are great students of ancient history remember a famous Roman senator named Cato, the Elder.

He never ended speech in the Senate but he said, "Delenda est Carthago," Carthage must be destroyed. Here, 2,000 years later, we have a new version, Reagan must be destroyed, "delenda est Reagan."

Bipartisan support? We make a pass at bipartisanship, but, you know, this little adventure has been under way, well, since 1988, in the dark, secretly, stealthily. Even as recently as 3 weeks ago things are going on in a Federal court in New York and we Republicans are never brought in.

Now, today, at last we are invited to sit down at the table. The timing of this investigation guarantees that it will be in full flourish as we approach the elections in November.

I heard from your side of the aisle that it is our fault that we have not moved this thing along. Why, it was August 5 when the Speaker said he was going to put together this task force. How could we stop the juggernaut of the Democratic party from putting together the task force?

Now here it is February and we are going to have weeks consumed in getting the clearances for all of the staff and come November we will be in full flourish, no question about it. Mr. Speaker, in show business that is called a lucky booking.

Now, we hear much in Presidential primaries about the character issue. Well, we have the character issue here. We have a collection of people who right out of Charles Dickens making the charges and the rumors and countercharges here, and I think we will see it in full display.

What we are playing with is history and, yes, we are playing with people's reputations.

I just hope and pray that we have fair play and that we have due process as we pursue wherever the facts lead us.

Dubious as I am, skeptical as I am, I want to go into this with an open mind. I conceive it is within the realm of possibility that something as horrendous as these charges might have occurred. I really doubt it, but I cannot approach this as a member of this task force and have a preconceived notion.

I will do my best to see that fair play and that a weighing of the facts fairly occurs, at least as far as I am concerned. But I hope you will remember you are dealing with people's reputations, you are dealing with people who are deceased. At least three of the major players are deceased here. This is a serious matter.

Last, I want to say that I am pleased that the chairman will be the gentleman from Indiana [Mr. HAMILTON], someone in whom I have great confidence, and I look forward to an interesting year as we approach the elections.

Mr. McEWEN. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I rise to oppose this measure to create a task force to investigate the so-called October Surprise allegations. Permit me to associate myself with the eloquent remarks made by our distinguished rank-

ing Republican on our Foreign Affairs Committee, the gentleman from Michigan [Mr. BROOMFIELD]. He is correct in stating that most Republicans, including Presidents Bush and Reagan, would be willing to support a proper inquiry. I too will support the Michel substitute.

Last year, our Foreign Affairs Committee met with Richard Allen, former National Security Advisor, and Albo Hassan Bani-Sadr, former Prime Minister of Iran. I have reviewed Mr. Bani-Sadr's so-called evidence and I believe that none of it would meet the evidentiary standards of our Nation's courts.

We have heard outrageous allegations from an incredibly diverse variety of people, all of whom seem to be more interested in the politicizing of this investigation than they do in examining the facts.

Former Carter administration NSC staffer Gary Sick and a plethora of Democratic staffers here on the Hill have been working on this issue for years. If there was really any substance to these charges, something so significant would have come to the surface long ago and we would not have to bother with this debate. As Steven Emerson and Jesse Furman, the authors of the New Republic's November 1981 article entitled "The Conspiracy That Wasn't" noted:

But the truth is, the conspiracy as currently postulated is a total fabrication. None of the evidence cited to support this October surprise stands up to scrutiny.

Moreover, the GAO has already expended over \$50,000 of Government money and 85 days investigating these charges and they did not come up with any substantive evidence.

If a truly reasonable further investigation is to occur, I urge that we vote for the Michel substitute.

The Michel substitute specifically permits the investigation of the Carter administration's conduct of United States policy toward Iran. The Michel substitute also provides for a strict 56-month time limit. If the investigation is conducted without any time limit, those who have been accused of politicizing the issue would find themselves hard pressed to defend themselves against those charges.

The Michel substitute cleans up several critical procedural matters, subjecting the task force to the regular rules of the House. Accordingly, Mr. Speaker, I urge my colleagues to be reasonable, to be fair, and to vote for the Michel substitute.

In considering this issue before us I urge my colleagues to read Newsweek's article of November 11, 1991, entitled "Making of a Myth," copies of which are on the House Minority's Committee desk, and which concludes:

*** Newsweek has found, after a long investigation including interviews with Gov't Officials and other knowledgeable sources

around the world, that the key claims of the purported eyewitnesses and accusers simply do not hold up. What the evidence does show is murky history of a conspiracy theory run wild.

□ 2010

Mr. MCEWEN. Mr. Speaker, I yield 2 minutes to the senior member of the Committee on Foreign Affairs, the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. Mr. Speaker, I accepted the assignment to serve as one of the minority members of the October Surprise task force with mixed emotions.

On the one hand, given the extraordinary and even unprecedented charges leveled against current and former public officials, we in this body have an obligation to engage in a fairminded search for the truth.

On the other hand, unless this investigation proceeds with the utmost diligence, objectivity, and punctilious regard for process, I fear that we may inadvertently exacerbate—rather than dispel—mounting public dismay with Congress and our political institutions.

Here I would note that in America process is our most important product. When procedure and comity break down, tragi-comedy ensues. As Reinhold Niebuhr, perhaps the profoundest religious philosopher of the century, once observed, the temper and integrity with which the political fight is waged is more important to the health of our society than the outcome of any single issue.

In this context, it must be stressed that the purpose of this investigation is fundamentally historical rather than prosecutorial.

Its scope will be unique in that the time frame and actions it will cover must inevitably involve prominent personalities and foreign policies in administrations of both parties. And therein lies the danger of destructive partisan rivalry: If the enquiry degenerates into a mischievous political fishing expedition, the endeavor will prove a mire from which no reputation emerges unscathed.

More consequentially, the mere establishment of an investigatory enquiry has the unfortunate implication of lending credibility to charges which are anything but consistent and as yet unproven.

Congressional enquiries, as we all understand, are blunt instruments. Congress is the center point of political debate in this country; it is the arena where public policy is directed through legislation; yet to be introspective, our forte is not historical investigation, although clearly greater attention to historical analysis would serve us well.

The enquiry at hand, however, doesn't appear purely motivated pure historicism. When unhappy events occur, especially when there are partisan political ramifications, conspiracy rationales escalate.

At a time when respect for public officials is low, when the economy is un-

stable, when the future is uncertain, people are prone to give credence to conspiratorial explanations of events.

This body thus has a particular responsibility to take great caution to ensure that truth, not political advantage, is sought, and that if wrongdoing is found, that the innocent be protected from charges that may be applicable to any that may be guilty of misjudgment or illegality.

This is a powerfully important enquiry. At stake is nothing less than the confidence of the people of the United States in the system of governance established by our Constitution.

A basic tension exists in American politics between the activities of searching for truth and trying to win elections. Our system is founded on the conviction that the former will be successful only if the latter is done fairly.

If in the upcoming investigation into the so-called October Surprise, the American people perceive that either party is willing to sacrifice truth in the desire to win partisan political points, the Nation will be ill served.

Any manipulation of Congress' investigatory powers to corrupt the historical record could precipitate a partisan political victory which would inevitably prove Pyrrhic for the Republic, undoing rather than bolstering respect for the constitutional process.

Mr. DERRICK. Mr. Speaker, I reserve the right to close on this side. I just have one speaker remaining.

Mr. MCEWEN. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I think it is incredible that we are to hear a 12-year-old charge based on the alleged statements of liars, frauds, felons, and opportunists, completely fabricated allegations, totally debunked by Newsweek and New Republic and a host of other investigative committees, including the GAO. Even the independent counsel which has wasted \$25 million of our money over the last 5 years, could not find anything to investigate in this thing, and still the Democrats go forward.

Mr. Speaker, they say no to a public investigation of the House restaurant and unpaid bills. They say no to the public investigation of the House bank and bounced checks. They say no to a public investigation of cocaine sales and embezzlement in the House Post Office. And yet they say OK to staff letters to judges to spring criminals from jail.

Where are the demands for the review of Jimmy Carter's role in the October Surprise? Where are the demands for an investigation of the Sandinista surprise where Members of Congress irregularly dealt with the Communists of Nicaragua? Where were the investigations of the Kennedy winning margin in Cook County in 1960, or of Chappaquiddick, or when Lincoln was shot, or

when Elvis was sighted? Where are all these investigations?

But yet we go forward with this fabrication. It is nothing more than a credit card for election posturing. It is a travesty, and it is a bad idea, and it is a waste of taxpayers' dollars.

I hope that our friends will vote for the Michel substitute, and on final passage, that they will vote against this travesty. I know this investigation will go forward and my pleas will go unheeded, but I feel confident at the end the American people will be saying to themselves: "What in the heck was that all about?"

Mr. McEWEN. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, as a member of the House Foreign Affairs Committee chosen to participate in the so-called October Surprise task force which the House is apparently about to create, I want to assure my colleagues that this Member regards the allegations prompting the creation of this task force indeed to be extraordinarily serious and, if true, a fundamental assault on the electoral system underpinning our democracy. That is, of course, not a suggestion that the charges are true or correct, for many independent and apparently unbiased examiners have found these serious charges to be without merit.

Nevertheless, this Member hereby assures his constituents, the House, and the American people that he will pursue and report the truth, wherever it may be found.

Having given these assurances, however, this Member also would warn that the pursuit of this investigation may well be as dangerous as conducting a torchlight, inch-by-inch search of a darkened explosives factory. With such a potentially fractious investigation conducted in a Presidential election year, it is particularly unfortunate that that House seems unable to proceed under a broadly supported, bipartisan resolution to establish proper scope and timing of the investigation. Strictures by the majority limiting the full appropriate scope of the investigation regarding the arms-for-hostages allegations and its insistence on an open-ended timeframe which could be manipulated to create a 1992 October Surprise are highly unfortunate. They stand in the way of a bipartisan and good-faith initiation of this investigation. Therefore, the Michel substitute should be accepted.

Beyond this lack of bipartisan agreement on timing and scope in the proposed resolution, as a member of the House Permanent Select Committee on Intelligence with some familiarity with the subject of this investigation, their Member fully expects that we will find a large amount of directly conflicting material and testimony from numerous sources who have little, un-

certain, or no credibility. In some cases these shadowy characters in the arms-trade and pseudo-members of the intelligence communities are known liars. In other cases the very murky situation in the Iranian religious-political community and the Byzantine intrigue of Middle Eastern politics almost certainly means that the truth is either not determinable or events or statements are subject to uncertain or totally opposite interpretations. Beyond that, some of the key alleged actors have taken their testimony to the grave; they are dead. Despite skilled and unbiased investigative resources which might be put at the disposal of the task force, the ultimate truth of what happened in 1980 almost certainly will not be conclusively knowable. Some critics of the Reagan campaign, the Carter administration, and the task force will not be satisfied unless the task force can conclusively prove not only what happened, but what didn't happen. This Member doubts whether the task force can provide such conclusive proof.

Members must consider that great temptations will exist in this investigative environment for partisan manipulation and exploitation of every leaked allegation, half-truth, or bald-faced lie from those giving testimony. It will be a veritable feast for the rapidly expanding number and variety of conspiracy theorists whose fanciful tales undermine the very credibility of our political system and the American consensus. It will tempt the self-launched congressional and party staffer or elected or appointed official to exploit the unsubstantiated products of the investigation for political reasons or for self-aggrandizement. It's quite possible that the spreading of the existing allegations will damage relations between the Israeli and American people, the Arab-Israeli peace talks, and the reputation of the United States in the Middle East and elsewhere. It could encourage the further taking of hostages to manipulate American elections or to enhance the prospects of arms sales.

Keep this in mind, too, colleagues, the improper use of this investigative process, the manipulation of any findings or their timing, and the leaking of premature or inconclusive information will further damage the reputation of this Congress. It will damage this Congress and the American system of Government which is so visible to the world through our deliberations in this House Chamber.

However, now that the House has reached this point, with visibility and limited, but sufficient, credibility given to these allegations of fundamental impact on the American governmental system, we now have no choice but to proceed. In light of the potential abuses and damage that could be caused by this investigation, Members

and staff of both the Senate and the House, our political leaders and candidates, and the news media have a very heavy responsibility to assure that the investigative process and its results are not abused for partisan or other purposes.

Mr. McEWEN. Mr. Speaker, I yield 2 minutes to the distinguished first lady of the State of Maine [Ms. SNOWE].

Ms. SNOWE. Mr. Speaker, I rise in opposition to House Resolution 258, and in support of the Michel substitute. My interest in this resolution is more than passing—I will be a member of the Foreign Affairs Committee task force investigating this matter, so I have a desire to see that it is done right.

Frankly, Mr. Speaker, as a member of this task force, I am concerned about the political appearance that this resolution creates. This task force will be charged with investigating a very serious matter. It should be above even the appearance of partisanship. That is a reasonable principle to embrace.

My opposition to this resolution is not grounded in a belief that nothing should be looked at—rather, I believe that if we are to go forward everything should be looked at. In this instance, half an investigation is not better than no investigation at all.

I am of course referring to the resolution's exclusion of the activities of the Carter administration. There is considerable evidence that the Carter administration was indeed taking covert actions and back channel activities to free the hostages before the election. That is worth exploring. Investigating the Reagan campaign solely, without specifically including the Carter administration, severely limits the ability of the task force to fully investigate the allegations.

I am not suggesting illegality per se, but rather that a pattern of activities by the Carter administration could shed light on the motivations of the Reagan campaign and of the Iranians. For example, how can the allegation that Reagan campaign officials offered to sell arms to the Iranians be fully and properly examined without also examining the substance of a competing offer from the Carter administration?

It seems to me that if we really want to get to the bottom of this we would encourage a study that encompasses all of the factors. Investigating these allegations without exploring the Carter actions is like holding a trial with an essential part of the evidence fenced off from consideration.

Exclusion of the Carter efforts from this investigation leads one dangerously close to the conclusion that the proponents of this resolution have prejudged its results. Mr. Speaker, that is no way to conduct an impartial inquiry.

If we are going to take time to investigate this matter, and spend millions

of tax dollars to do it as the resolution intends, isn't it simple fairness to the American people to see that we do a thorough job? Only the Michel substitute provides this fairness by explicitly including the Carter activities within the scope of the task force.

I am also troubled by the majority's reluctance to put an end date to this investigation. By stretching the investigation out ad infinitum, it could potentially drag on into the thick of the presidential campaign.

If Members are determined, as I am, that this investigation not become politically tainted—or more politically tainted—they need to vote for a deadline.

The Michel substitute has a 6-month deadline. However, it provides that if at the end of 6 months the House determines that more time is needed, it may approve a longer investigation. What could be more fair than that?

A vote against a deadline is a vote to immerse the investigation in the 1992 campaign. As a member of the task force, I don't want my work sullied by political entanglements. It will be without a deadline.

Mr. Speaker, I am prepared to be a part of an investigation of these very serious allegations. But I want the investigation to be objective and as non-political as possible. The American people have had enough of partisanship. They deserve to have this investigation conducted fairly, thoroughly, and without the taint of partisanship. The best way to achieve that is to vote for the Michel substitute.

□ 2020

Mr. MCEWEN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska [Mr. BARRETT].

Mr. BARRETT. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I hear the American people calling for economic growth, affordable health care and assistance for the unemployed. But I don't hear them asking us to spend their money to investigate the October Surprise theory. CBO estimates this investigation could cost \$1.2 to \$2.5 million. I ask my colleagues, how can you justify this expense when there's a long list of more pressing concerns to be addressed?

I'm deeply concerned that this measure lacks any type of spending limit, or budget. Expenses will require only the approval of the Chair of the House Administration Committee. With all due respect to my chairman, this isn't a fair process for dealing with such a partisan issue.

Granted, it would be nice to dispel these conspiracy rumors, but let's face it, we don't have the time or money to waste, let alone enough evidence to warrant an investigation. Under House Resolution 258, I urge support for the Michel substitute.

Mr. MCEWEN. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I would rather be here tonight to discuss ways to get the economy moving again, or how to address our health care crisis, or any of the number of other issues our constituents are telling us should be congressional priorities.

Not surprisingly, the so-called October Surprise investigation didn't come up once in my recent town hall meetings, and I imagine that the topic wasn't raised much in similar meetings across the country. The notion of authorizing unlimited funds for an unspecified time period for Congress to investigate an unsubstantiated conspiracy theory is understandably absent from the priority lists of people who look to Congress to take action on their concerns.

Nonetheless, one of our first actions this session will be to do just that: To authorize the spending of hundreds of thousands—maybe millions—of taxpayer dollars on a politically motivated search for shadows.

I don't mean to make light of this investigation. Certainly, the accusations are very serious, and if there is something to be found, we should take an orderly, bipartisan look at them. Under the capable leadership of Chairman HAMILTON and Mr. HYDE, I am confident that this task force will do its job and do it well. But at what cost?

It was just over a week ago that the President challenged this body to put politics aside and focus on the needs of the country. Even if you choose not to listen to the President, listen to what the American people are telling us, what your constituents are telling you. If they're like southwest Floridians, they think our efforts and our dollars are better used elsewhere.

In the end, a vote will be taken, the resolution will pass and the investigation will begin. The other members of the task force and I will examine the evidence objectively and with open minds, and report back our findings. But with every passing day, I fear we'll be reinforcing the American people's perception that Congress is an out-of-touch institution, more interested in scoring political points than solving the immediate and urgent problems facing its citizens. If we are slipping into fantasyland up here on the Hill, shouldn't we be going on a treasure hunt for jobs for Americans rather than an endless witch hunt for political ghosts?

Mr. MCEWEN. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding. I just want to follow on my colleague's comments to the effect that this basically represents what is wrong with Congress today. We have a situation where long unemployment lines are developing,

people are worrying about the economy. My colleagues are putting out literally thousands, millions of questionnaires to the American people asking them what priorities they want us to work on in 1992. I would bet that working on the October Surprise does not even show up in the top 100.

I think that fairly represents the fact that we have ceased to be a House of Representatives. We are not concerned about the people, at least the leadership of this House is not concerned about the people and their priorities. In these very difficult times, what they are worried about is beating up on the guy who whipped them in two elections, an 80-year-old man named Ronald Reagan. I look at the two statements, statements by Newsweek and the New Republic, with regard to the statements and the allegations upon which the October Surprise is based. These two publications, which certainly are not conservative publications, state, and I am quoting Newsweek, "Newsweek has found that after a long investigation, including interviews with government officials and other knowledgeable sources around the world, that the key claims of the purported witnesses and accusers simply do not hold up."

It is too bad that the same publication would not make the same statement about the facts that have come up with respect to the sale of cocaine across the counter at the post office of the House of Representatives.

I look at the New Republic statement. They are saying about the October Surprise, "The truth is the conspiracy as currently postulated is a total fabrication." It is too bad we cannot get anybody to say that about the experience with the House bank or the House restaurant or fixed tickets.

I think if you asked the American people which they would rather investigate, the October Surprise or the stewardship of the House of Representatives, there would be no contest.

Mr. MCEWEN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank my friend, the gentleman from Ohio [Mr. MCEWEN] for yielding and compliment him for the excellent job that he and the other Members have been doing here today.

To answer the gentleman from California, I would say the American people are upset with Congress, yes, that after 38 consecutive years where every Speaker, every chairman, every subcommittee chairman has been Democrat, you can expect legislation like this.

Why are the Democrats pushing this boondoggle? I do not think it is the Democrats, I think it is liberals. I know Democrats. Democrats are decent people. They stand up for what is best for this country. But liberals? The

liberals will take 2 billion taxpayer dollars and engage in this wild goose chase. This investigation of unsubstantiated rumors will be the Salem witch trials all over again. Why?

What is the evidence? After 10 years of rumor mongering, who are their big sources? They have got two. One is an American who says he is a spy or has been a spy for the United States, France, Italy, and Israel, but he has been totally dismissed as unreliable.

The other is a man who says that he has been a spy for Israel and has surfaced after landing in prison for trafficking in military goods. The press, too, not we but the press, has said this man is totally unreliable.

Then we have the two crazy Iranian brothers accused of smuggling and involved in con games. The press says involved in con games. This whole thing is nothing but a con game. These are con artists.

My favorite, October Surprise is always being quoted here today, do you know who they are quoting? Abbie Hoffman. Yes, the former student radical who wrote an article for Playboy is the liberals unimpeachable source. Gary Sick cites Abbie Hoffman as a serious source! Come on. Abbie Hoffman? All the liberal evidence comes under the heading of that "barnyard stuff." That's what we call it in Wisconsin.

We have a group of liberals here who are salivating at the chance of taking taxpayer dollars and transforming these weirdos, wackos, and nut cases into witnesses with taxpayer dollars, \$2 million. This Congress ought to be ashamed of themselves, at 8:30 at night talking about these weirdos. Who is going to be the chief investigator? Geraldo Rivera?

□ 2030

Let's debate the serious problems confronting our country tonight. This country, this economy needs a shot in the arm. We should be taking care of legislation, dealing with the economy and problems of families and seniors. Let us vote on the notch issues for a change and get to some real substantial issues. Let's start addressing the peoples agenda. Let's start doing our Nation's business.

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. OBEY). The gentleman will state it.

Mr. SOLOMON. Mr. Speaker, I do intend to offer a substitute as the designee of the gentleman from Illinois [Mr. MICHEL]. I just wanted to make sure we were not going to be precluded from doing that.

Mr. DERRICK. Mr. Speaker, this is just the first part we are talking about.

Mr. SOLOMON. Mr. Speaker, is the gentleman from South Carolina [Mr. DERRICK] getting ready to summarize?

Mr. DERRICK. Mr. Speaker, I am prepared to close the general debate.

Mr. MCEWEN. Mr. Speaker, I cannot let 3½ minutes go by when they have 16 minutes, so I yield the balance of my time to myself.

Mr. Speaker, let's just recap where we stand. We started out with a partisan day and we are ending up the same way. Why do they want this hearing? Why can they not use the Committee on Foreign Affairs and the 57 other committees that they chair? Because they want to have a particular platform in an election year in which they can call of these weirdos and, what are they called, you can use the terms that you want to use, documented frauds and imposters.

One of the fellows said that he turned down the job as the head of the secret service for Israel, the Mossad. He was too busy. He is the one that saw George Bush on the tarmac over there during the campaign, over in Europe someplace. When they brought him the documents and showed that George Bush was at these other places, then he changed the city, then he changed the date, and, after four tries, he finally came up with it.

The General Accounting Office has already gone through this. The General Accounting Office came up to the Committee on Rules and testified that they had interviewed as many people as possible, checked all these things out. They said where they landed so they would not see the pilot. The pilot said he never landed in those places in his life. They said what was the weather like, and they went out and checked the weather, and found out it was completely wrong. They checked the tail numbers of the planes they used. In fact, we asked the question in the Committee on Rules as to anything that they ever said under any circumstances, did any of it turn out to be true?

They said, "Congressmen, every single thing they said proved to be wrong."

Now, we have investigated under the General Accounting Office, under the Committee on House Administration, under Iran-Contra. We have done it all.

The purpose of this is not for an investigation. We do not want to get to the facts.

When the gentleman from Indiana [Mr. HAMILTON] said that he was going to look at the facts, they went back and excised it so you cannot look at any Democrats. You can only look at Republican candidates for office in 1980.

That is what this House has stooped to. That is what this Congress, dominated lock, stock, and barrel, from the person that sells the postage stamps, to the person that runs the bank, to the person that runs the police force, they are solid Democrats. Republicans are not allowed to have any understanding as to what is going on. They do it behind our back.

It is only through slipshod incompetence that we ever find out what they are doing in the first place. And now that it is all out in the open and all of these reports have been exposed, they want to reach into the till, take another \$2 million, at least, maybe even more than that, unlimited funding, unlimited time, and set up a platform to bring all of these weirdos in to testify as to when you saw George Bush and when you saw Ronald Reagan and where was he standing and what deal was he cutting, and you and I know that this is absolutely reprehensible to the political process.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. MCEWEN. I am pleased to yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, is the gentleman from Ohio [Mr. MCEWEN] saying that the economy, that health care, that the environment, that crime, that jobs, are more important than what happened in 1980 in the Reagan-Carter campaign? Is that what the gentleman is telling us?

Mr. MCEWEN. Mr. Speaker, reclaiming my time, that is the value system that the gentleman from Illinois [Mr. HYDE] and the American people hold. But the people who have run this Congress throughout my entire lifetime and for 58 of the last 62 years are far more interested in power than they are in the prospects of the future of the American taxpayer.

Mr. DERRICK. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from South Carolina has 16 minutes remaining.

Mr. DERRICK. Mr. Speaker, has the minority used all their time?

The SPEAKER pro tempore. The time of the gentleman from Ohio [Mr. MCEWEN] has expired.

Mr. DERRICK. Mr. Speaker, I yield 16 minutes to the distinguished gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, of course I rise in support of the resolution. I think I understand some of the deep feelings that have been expressed here this afternoon and this evening. I would like to try to put into some context my feelings about this investigation.

Mr. Speaker, obviously the threshold question is why we have an investigation? There are three reasons.

The first of those reasons is the circumstances of the time. The second is the seriousness of the allegations. The third is the evidence.

Let us start with the first one, that is, the circumstances of 1980 and 1981. Surely anybody would have to say that these circumstances were unusual and extraordinary. American hostages were released within minutes after Ronald Reagan was sworn in as President of

the United States. Significant quantities of arms are alleged to have begun to flow very shortly thereafter.

When asked about the report of these arms transfers, former Reagan administration officials say they cannot recall any such transfers, and they have offered conflicting accounts of their origin and purpose. These circumstances are just extraordinary. That is reason No. 1.

Reason No. 2, I think, does not need elaboration. These allegations are extremely serious. Successful or not, any effort by representatives of the Reagan campaign to influence the outcome of the 1980 election, to delay the release of the hostages, all of us would surely agree if those allegations are true, then they represent a grave and dangerous abuse of constitutional process and a profound injustice.

Sure, we have other issues that are important on the agenda today. But protecting the constitutional processes of the United States has to be ranked as a major priority.

Now, these allegations are sufficiently alarming that former President Carter has called for an investigation. President Bush has said that he would like to see this matter put to rest. President Reagan has said that we should do all we can to clear the air. Fourteen of the former hostages, and I would urge Members to read their letter, have urged a formal congressional inquiry.

Let me say that I genuinely hope that these allegations can be disproven conclusively. I have yet to see any conclusive evidence of wrongdoing. But neither have I seen all of the evidence or heard from all who claim to have witnessed or participated in these events.

If these allegations can be proven false, they will be put to rest, and the stains on the reputations of many public servants who have been implicated will be removed.

If the allegations are proven true, corrective steps will need to be taken. If the allegations are true, we would do a disservice to the country if we failed to pursue an inquiry.

If the allegations are false, we would do a disservice to those who have been accused of misconduct if we fail to go forward.

Mr. Speaker, I do not see how one can get to the bottom of these matters unless one has a formal investigation by an official party with subpoena power, able to take statements under oath and to obtain secure access to information.

Mr. Speaker, how does one get to the bottom of this unless one has that kind of official power? Even these investigatory tools may not get us to the truth. But without them, the chances of learning the truth and ending the controversy are slim.

Mr. Speaker, the other point is the evidence. I have heard many state-

ments deriding the evidence, and I have to acknowledge that one has to approach this evidence with a lot of skepticism.

□ 2040

Let me briefly, very briefly, try to summarize some of that evidence.

It is widely agreed that the Reagan campaign officials were deeply concerned about the possible political impact of a release of the American hostages. Mr. Allen, Mr. Deaver have both said that.

Jamshid Hashemi gave a detailed account of a series of meetings he claims took place in Madrid in 1980, between Iranian Government representatives and Reagan campaign director William Casey. Five other sources independently claim knowledge of meetings involving Casey and Iranians in Madrid in July, and corroborate much of what Hashemi's characterization of the content of those meetings was.

Several sources report a series of meetings among William Casey, Iranian officials, and Israeli officials that took place in Paris over a weekend in October 1980.

I will name names: Hushang Lavi, an Iranian arms dealer; Oswald Lewinter, a man who claims to have worked for United States intelligence officers; two men with access to French intelligence; a French lawyer; Arif Durrani, a Pakistani arms dealer; William Herrmann, an American CIA contractor; an Arab diplomat, and there are other indications of evidence.

Let me repeat again, this is some of the evidence suggesting that a deal was arranged. That evidence surely should be treated with skepticism, and the credibility of several key sources is questionable. And those sources need to be regarded with caution.

Similarly, several individuals who have disputed some of these allegations also appear to have been mistaken or incorrect in their recollections.

Now, the magazine reports that have been referred to so often have challenged the October Surprise allegations and evidence. In my view, the fact that these magazines reached plausible but entirely different conclusions, for example, from Mr. Sick's book, only underscores the need for a formal investigation. And may I point out to my colleagues that none of those journalists had the subpoena power, none of them so far as I know was able even to interview Mr. Hashemi. They simply were not able to contact a lot of the sources, not because they did not try but because they did not have the investigatory power.

I think we know enough about these charges to identify the lines of inquiry, and I understand that some of my colleagues are saying tonight that it is a waste of time pursuing this inquiry when there are so many urgent issues before us. And I agree, of course, that

the Congress must make the important issues of the day its top priority.

But I also think we have the ability in this institution and the responsibility to focus on several important issues at one time.

Let me say a word about the investigation as I see it developing. The task force will make every effort to coordinate with the Senate. As best I can judge, the investigation will proceed in two stages. First, we will examine the paper trail associated with these allegations. This will involve locating and reviewing a substantial existing body of evidence relating to these allegations. During this stage the task force will take a lot of depositions.

Once that stage of inquiry is completed, the task force will then decide whether or not public hearings are warranted. The inquiry will be structured so that it can be altered or stopped at any point, if the facts demand.

The task force's primary objective will be to determine what, if anything, happened in 1980.

I understand my friends on the minority side have some real concerns. One of those concerns, as they have expressed repeatedly, is the scope of the investigation. Let me make several comments with respect to that.

First, this inquiry is prompted by significant evidence, certainly not conclusive, concerning allegations of misconduct by the Reagan campaign team in 1980. The resolution authorizes an investigation of those allegations. I heard claims about Carter administration policy during the hostage crisis, but I have not heard allegations of misconduct or illegality of the Carter administration.

The point I want to make is that the allegations of wrongdoing relate to the Reagan campaign team. The allegations do not relate, so far as I know, to the illegality or the misconduct of the Carter administration.

The second point, may I say to my friends on the other side of the aisle, is this, that Members of Congress cannot be denied and should not be denied the opportunity to raise issues they believe relevant to a matter before them. The policies in place when the alleged events of 1980 are said to have occurred are relevant to this inquiry.

Members of the task force would certainly be able to raise any questions or issues whose relevance to the task force mandate can reasonably be demonstrated.

Now, about the duration of the investigation. My friends on the minority side want to limit the investigation to a set time, six months. May I say to my colleagues that I really do have a lot of sympathy with that demand, but certainly they can understand that when we are investigating, we do not know how that investigation will go. We are going to have to begin by seeking security clearances for some of our

people. That is a process that took months during the Iran-Contra investigation. We do not control that. The executive branch controls it, and if they wanted to delay for 3 or 4 months, and I am not making the accusation that they do, but if they wanted to, it could hold us up.

Second, evidence concerning these allegations is likely to be scattered around the world, and it is going to take time to locate them. And next, we are going to have to deal with a number of foreign governments. And when we deal with foreign governments, we have to deal with the protocol of those governments and go through their channels. And we cannot force that process or speed that process.

I do hope my friends understand that the time limit is finite because it relates to the 102d Congress, but I do believe that imposing a time limit would really be quite unwise. We plan to go where the facts lead us. We do not know the facts. We do not know how much time will be needed to get there. And it is to no one's advantage to trade speed for thoroughness.

Let me conclude with a few personal observations. I want to do the very best I can to make this investigation thorough, professional and fair. I intend to conduct this investigation in as bipartisan a manner as possible. I have worked frequently with the gentleman from Illinois [Mr. HYDE], your task force leader. He is an able and honorable man in this institution, and he and I will work hard together. I am confident, to carry this investigation out properly.

I will not try to blindside Members or to deny them an opportunity for fair and reasonable access to the documents and to the witnesses.

I frankly do not understand the intensity of some of the opposition to this task force. If Members are confident that the alleged events of 1980 did not occur, what then do they have to fear from a formal inquiry? Do they not see the advantages of our country putting to rest these concerns and suspicions? Would we not all be better off if a serious and thorough effort is made to find out what did and what did not happen in 1980? Why let these allegations continue to undermine public trust in our Government and the reputations of so many individuals?

My own view is it would be better for us to try to find out what we can with this special investigation and with the tools that are available to us.

□ 2050

I understand that some say that a House investigation is bound to be partisan and unfair. I cannot see how any political party or any elected official, least of all those of us on the task force, could benefit from an investigation that is perceived to be partisan or sloppy or less than thorough. I know

that a perfect investigation is not possible, but a flawed investigation would damage the reputations of those who conducted it and reflect unfavorably on this House.

Finally, let me say that I will do my best to see that this inquiry is carried out with a small staff and a modest budget. We will hire outside legal counsel and investigators as needed, but we will rely as much as possible on current congressional staff and other staff that can be seconded. We recognize the need to keep the cost of the inquiry as low as possible while proceeding expeditiously.

Mr. Speaker, I urge the adoption of this resolution.

Mr. Speaker, I include for the RECORD the memorandum of general counsel Steven R. Ross and deputy general counsel Charles Tiefer on the subject of the authority for a chairman to initiate a committee inquiry.

The document referred to follows:

MEMORANDUM

From: Steven R. Ross, General Counsel to the Clerk, and Charles Tiefer, Deputy General Counsel to the Clerk.

Subject: Authority for Chairman to Initiate Committee Inquiries

We have been asked whether a House Committee Chairman has authority to initiate a committee investigation involving certain steps, such as writing letters, without a committee vote. As described below, the courts have found such a procedure entirely appropriate. Many investigative actions, like scheduling hearings, sending letters relating to an investigation, or asking staff to look into a matter, are among the actions by which a chairman appropriately provides for information to come to a committee. These are legally quite distinct from using the subpoena power for compulsory provision of information, and it is only the subpoena power which requires the more formal committee authorization steps addressed in House Rule XI(2)(m).

DISCUSSION

The House of Representatives' rules, precedents, and practices address in many respects one of its most important procedures, the conduct of committee investigations. House Rule XI.1(b) provides:

"Each committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate * * *."

The rule only tells committees they are "authorized at any time to conduct such investigations," not how they are to do so. It is just as consistent with this rule for the instigation of the investigation, and some of the various steps, to occur on a chairman's instructions as by committee vote. Moreover, it is well known that chairman of committees or subcommittees have a number of responsibilities with respect to investigations, including scheduling hearings and announcing their subjects, and assigning staff to prepare prior to the hearings. See, e.g., House Rule XI(2)(c)(1) and (k)(1). Both the Rules and Jefferson's Manual also prescribe the aspects of investigations that typically require collective participation of committee members, such as a vote to issue subpoenas, requirements regarding quorums and closed sessions, and reports of the commit-

tees. See, e.g., House Rule XI(2)(g)(2), (h)(2), and (m)(1).¹

Many House Committee investigations begin by committee inquiry letters asking for information, and assigning staff to investigate, and this procedure has recently been described and discussed with approval by the United States Court of Appeals for the Fourth Circuit. In *United States v. Mitchell*, 877 F.2d 294 (4th Cir. 1989), the Court upheld a conviction for obstructing an investigation by the House Committee on Small Business. The Court said of the obstruction statute that "[t]o give \$1505 the protective force it was intended, corrupt endeavors to influence congressional investigations must be proscribed even when they occur prior to formal committee authorization." Id. at 301 (italic added). The Court explained the factual background:

"Applying these principles to the case at hand, all of the circumstances surrounding this investigation point to the conclusion that appellants' corrupt endeavor was directed towards a legitimate House investigation. The investigation was instigated by the chair of a House committee that unquestionably has jurisdiction over the subject matter of the inquiry. The letter from Congressman Mitchell to the SBA expressly said that "[t]his Committee is presently conducting an investigation" and referred to the Small Business Act for its authority to do so. Furthermore, the investigation was handled by the chief investigator of the Small Business Committee on a continuing basis for several months. * * * [T]his was a congressional investigation. Accordingly, we hold that the investigation instigated by Congressman Mitchell was an investigation by the Small Business Committee of the House that was protected by §1505." Id. at 301.

When the Fourth Circuit said explicitly and repeatedly, as the heart of its holding in the case, that an investigation initiated by the Chairman "was a congressional investigation" and "was an investigation by the Small Business Committee," it plainly considered, and rejected, the argument that something more than the Chairman's initiation was required. Moreover, the Fourth Circuit counted two actions as the classic signs of a chairman-initiated, proper investigation: writing of a letter, and handling by the Committee's staff and (the "chief investigator of the Small Business Committee").

The same sustaining of Chairman-initiated investigations occurred in the series of Iran-contra cases in the United States District Court for the District of Columbia. In these well-known prosecutions, the background of House investigations was that in 1985 and 1986, the chairmen of the House Permanent Select Committee on Intelligence and the House Subcommittee on Western Hemisphere Affairs sent inquiry letters to the Na-

¹ See House Manual §407 (Jefferson's Manual section on bills, addressing the requirement of a meeting for the committee to report) ("A committee . . . can only act together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in committee actually assembled"). Jefferson's Manual is clearly speaking at this point about committee reporting of bills, as this is the section on bills. The section regarding investigations, section XIII, "Examinations of Witnesses," House Manual §§342-43, discusses procedure for hearings (how questions are put, that "testimony given in answer * * * before a committee [] must" be "written down," and similar matters) but does not discuss steps preliminary to hearings, such as the chairman's role in scheduling them and deciding their subject, writing letters, or using non-Member assistance.

tional Security Council seeking documents and other information regarding the allegations in press stories about NSC activities. Those letters were sent without prior committee or subcommittee votes, and the inquiries occurred without the more formal procedures of subpoenas to witnesses, or witnesses under oaths. Despite the absence of such prior votes or other formal procedure, members of the NSC staff were indicted for obstructing the inquiries, destroying records, and providing false answers.

The Court rejected the defendants' challenges to the indictment, holding that the defendants' acts constituted the felony offenses of obstruction of Congress and of making false statements, even though the inquiry letters and responses occurred in the absence of votes, subpoenas and oaths. See *United States v. North*, 708 F. Supp. 372 (D.D.C. 1988); *United States v. North*, 708 F. Supp. 380 (D.D.C. 1988). (The indictments have come into question because the NSC staff were later immunized in the 1987 Iran-contra hearings, but the 1987-immunity legal questions are separate from the 1985-86 House investigations.)²

For the obstruction counts against each defendant, it sufficed that letters "sent by The Honorable Michael Barnes, Chairman of the Subcommittee on Western Hemisphere Affairs of the House Foreign Affairs Committee (HRAC), and the Honorable Lee Hamilton, Chairman of the House Permanent Select Committee on Intelligence (HPSCI), [which] referred explicitly to the Boland Amendment" had "institute[d] inquiries directed towards North's conduct regarding advice and fund-raising support to the Nicaraguan rebel leaders. * * * Both letters were on official stationery and each letter was signed by the Congressman in his official capacity as Chairman." 708 F. Supp. at 381-82. "In response to separate letters from the chairmen, North allegedly drafted obstructive responses," and "[C]hairmen of two of these committees wrote on behalf of their committees to the President * * * defendant Poindexter responded in separate letters to all three committees." 708 F. Supp. at 374 nn. 3 & 4.

The Court rejected objections by the defendants that such procedures would not suffice for perjury prosecutions, particularly due to the absence of the oath. "[North's] arguments are addressed to the wrong forum. * * * [since] the [false statements] statute does not allow North's interpretations. Congress may set the policy it expects from those who deal with it. Congress felt that less exacting standards than are included in the perjury statute were appropriate for ensuring the integrity of governmental functions. *United States v. Gilliland*, 312 U.S. 86, 95 (1941); *United States v. Rodgers*, 466 U.S. 475, 482-83 (1984)." 708 F. Supp. at 384. Accordingly, the Court held that the indictment properly stated the offenses of obstruction, and providing false statements, regarding the responses that occurred to the House Committee and Subcommittee Chairmen's letters of inquiry.

Of course, the various House committees and subcommittees have their own rules and

procedures. Different inquiries by different committees may follow their own individual paths. Committees may decide among themselves, by precedent or newly devised procedures, how to conduct any particular inquiry. A committee can even adopt rules requiring committee votes before initiation of major inquiries, as the House Un-American Activities Committee did, and if such a rule is adopted, "it must be strictly observed." *Gojack v. United States*, 384 U.S. 702, 708 (1966). However, HUAC had special reasons, stemming from the controversial nature of its investigations, for adopting such a rule, and the vast majority of committees have not had any reason to adopt such a rule. For committees without such a rule, the ordinary procedures by which chairmen commence inquiries—through inquiry letters, scheduling hearings, or staff studies—are proper without committee votes in advance. The different procedural questions which arise when a committee invokes its power to issue compulsory process pursuant to the subpoena power of House Rule XI(2)(m) only arise when, and if, the committee elects to invoke its subpoena power.

While it may be true under clause 1(b) of Rule XI that a committee or subcommittee acting as a collegial body should at some point meet if that question is raised to determine whether to conduct an investigation, it is also true under clause 2(b)(1) of Rule X that each standing committee has the oversight responsibility to "review and study, on a continuing basis, the application, administration, execution and effectiveness of those laws * * * within the jurisdiction of that committee * * *." In furtherance of this responsibility, it has been traditionally proper for the chairmen of committees or subcommittees to initiate preliminary "reviews or studies" i.e. inquiries which in a general sense may be termed preliminary investigations, in preparation for possible investigations to be undertaken by the committee and subject to ultimate direction and control of the committee. In fact most Members know that committee investigations are normally undertaken without the need for a formal committee vote where the need for the "investigation" is understood, or by the issuance of subpoenas where formal committee action is deemed necessary.

It is essential, for example, that a chairman's preliminary inquiry be able to minimize the possibility of the destruction of documents pending their formal incorporation as committee files. There exists an inherent authority for a chairman to take preliminary steps to request and preserve testimony and documents.

The courts have even agreed that congressional investigations need not have been formally authorized pursuant to the letter of a committee's rules in order to be due and proper exercise of the power of inquiry under the obstruction of witnesses statute (18 U.S.C. 1505), where it is apparent from all surrounding circumstances that the inquiry is a legitimate exercise of the investigative authority within the committee's purview (*U.S. v. Mitchell*, 877 F.2d 294 (4th Cir. 1989).

Mr. DERRICK. Mr. Speaker, I submit the following exhibits for the RECORD.

[From the New York Times, Apr. 15, 1991]

THE ELECTION STORY OF THE DECADE

(By Gary Sick)

Suspensions about a deal between the Reagan campaign and Iran over the hostages have circulated since the day of President Reagan's inaugural, when Iran agreed to release the 52 American hostages exactly five

minutes after Mr. Reagan took the oath of office. Later, as it became known that arms started to flow to Iran via Israel only a few days after the inauguration, suspicions deepened that a secret arms-for-hostages deal had been concluded.

Five years later, when the Iran-contra affair revealed what seemed to be a similar swap of hostages for arms delivered through Israel, questions were revived about the 1980 election. In a nice, ironic twist, the phrase "October surprise," which Vice Presidential candidate George Bush had coined to warn of possible political manipulation of the hostages by Jimmy Carter, began to be applied to the suspected secret activities of the 1980 Reagan-Bush campaign.

I was a member of the Carter Administration and on the staff of the National Security Council from August 1976 to April 1981, with responsibility for monitoring Iran policy. I first heard these rumors in 1981 and I dismissed them as fanciful. I again heard them during the 1988 election campaign, and I again refused to believe them. I had worked in and around the Middle East long enough to be skeptical of the conspiracy theories that abound in the region.

Then two years ago, I began collecting documentation for a book on the Reagan Administration's policies toward Iran. That effort grew into a massive computerized data base, the equivalent of many thousands of pages. As I sifted through this mass of material, I began to recognize a curious pattern in the events surrounding the 1980 election. Increasingly, I began to focus on that period, and interviewed a wide range of sources. I benefited greatly from the help of many interested, talented investigative journalists.

In the course of hundreds of interviews, in the U.S., Europe and the Middle East, I have been told repeatedly that individuals associated with the Reagan-Bush campaign of 1980 met secretly with Iranian officials to delay the release of the American hostages until after the Presidential election. For this favor, Iran was rewarded with a substantial supply of arms from Israel.

Some of the sources interviewed by me or my colleagues are or were government officials who claimed to have knowledge of these events by virtue of their official duties or their access to intelligence reports. Most insisted on anonymity.

Other sources are low-level intelligence operatives and arms dealers who are no boy scouts. A number of them have been arrested or have served prison time for gun-running, fraud, counterfeiting or drugs. Some may be seeking publicity or revenge, but others have nothing to gain from talking about these events, and genuinely feared for their personal safety. Several sources said they were participants, personally involved in or present at the events they described.

Their accounts were not identical, but on the central facts they were remarkably consistent, surprisingly so in view of the range of nationalities, backgrounds and perspectives of the sources. Because of my past Government experience, I knew about certain events that could not possibly be known to most of the sources, yet their stories confirmed those facts. It was the absence of contradictions on the key elements of the story that encouraged me to continue probing. This weight of testimony has overcome my initial doubts.

The story is tangled and murky and it may never be fully unraveled. At this point, however, the outlines of what I learned can be summarized as follows:

In December 1979 and January 1980, Cyrus and Jamshid Hashemi, two brothers who had

²The subsequent histories of the case include trials, and appeals, and reversals on other grounds. *United States v. North*, 910 F.2d 843 (D.C. Cir. 1990), cert. denied, 111 S. Ct. 2235 (1991), indictment dismissed on remand on September 16, 1991; *United States v. John M. Poindexter*, No. 90-3125 (D.C. Cir. decided Nov. 15, 1991.) The appeals focused on the issue of immunity, and on some of the jury instructions, not the pretrial rules discussed herein regarding the sufficiency of the indictments.

good contacts in Iranian revolutionary circles, approached the Carter Administration seeking support for their candidate in the Iranian presidential elections. I met both of them briefly during that period. Although Washington was sympathetic, their appeal was over taken by events. Their candidate lost but they remained in contact with the U.S. Government, providing useful information about developments in the hostage crisis.

Cyrus died in 1986, only three months after his cooperation with the U.S. Customs Service in a dramatic sting operation that resulted in the arrest of several Americans, Israelis and Europeans on charges of plotting illegal arms sales. Jamshid Hashemi, who was also involved in international arms sales, was not implicated in that affair. I re-established contact with Mr. Hashemi in March 1990 and interviewed him a number of times.

According to Mr. Hashemi, William Casey, who had just become Ronald Reagan's campaign manager, met with him in late February or early March 1980 at the Mayflower Hotel in Washington. Mr. Casey quickly made it clear that he wanted to prevent Jimmy Carter from gaining any political advantage from the hostage crisis. The Hashemis agreed to cooperate with Mr. Casey without the knowledge of the Carter Administration.

Mr. Hashemi told me that he and his brother helped to arrange two critical meetings. In a Madrid hotel in late July 1980, an important Iranian cleric, Mehdi Karrubi, who is now the speaker of the Iranian Parliament, allegedly met with Mr. Casey and a U.S. intelligence officer who was operating outside authority. The same group met again several weeks later. Mr. Hashemi told me that Mr. Karrubi agreed in the second Madrid meeting to cooperate with the Reagan campaign about the timing of any hostage release.

In return, he was promised that the Reagan Administration, once in office, would return Iran's frozen assets and help them acquire badly needed military equipment and spare parts. Two other sources subsequently described these meetings in very similar terms in interviews with me and my colleagues. The Carter Administration had no knowledge of these meetings.

At about the time of the second meeting in Madrid, according to two former Israeli intelligence officers I interviewed, individuals associated with the Reagan campaign made contact with senior Government officials in Israel, which agreed to act as the channel for the arms deliveries to Iran that Mr. Casey had promised. Israel had been eager to sell military equipment to Iran, but the Carter Administration, which was maintaining a total arms embargo on Iran, had refused to agree.

As the threat of war with Iraq began to mount in early September 1980, Iran opened direct hostage negotiations with the Carter Administration. In retrospect, it appears that Iran may have been playing both sides, seeking the highest bid for the release of the hostages. The Carter Administration, however, did not realize it was involved in a three-cornered bidding contest, and resisted Iran's apparent interest in military equipment.

The Iraqi invasion of Iran on Sept. 22, 1980, added both urgency and confusion to the various negotiating tracks. Two former Reagan campaign aides told me that this generated new fears within the Reagan-Bush campaign that war pressures would lead Iran to release

the hostages before Election Day, thereby improving President Carter's chances.

Adding to the complexity, the Carter Administration secretly had been developing plans for a possible second hostage rescue mission, after the failure of its earlier mission, Desert 1, in April. It became operational in September 1980. Richard V. Allen, Ronald Reagan's first national security adviser and a member of his campaign, told me that one member of the rescue team contacted him and gave him a description of the second rescue plan. Shortly thereafter, the Reagan-Bush campaign launched a major publicity effort warning that President Carter might be planning an "October surprise" to obtain the release of the hostages prior to the election.

From Oct. 15 to Oct. 20, events came to a head in a series of meetings in several hotels in Paris, involving members of the Reagan-Bush campaign and high-level Iranian and Israeli representatives. Accounts of these meetings and the exact number of participants vary considerably among the more than 15 sources who claim direct or indirect knowledge of some aspect of them. There is, however, widespread agreement on three points: William Casey was a key participant; the Iranian representatives agreed that the hostages would not be released prior to the Presidential election on Nov. 4; in return, Israel would serve as a conduit for arms and spare parts to Iran.

At least five of the sources who say they were in Paris in connection with these meetings insist that George Bush was present for at least one meeting. Three of the sources say that they saw him there. In the absence of further information, I have not made up my mind about this allegation.

Immediately after the Paris meetings, things began to happen. On Oct. 21, Iran publicly shifted its position in the negotiations with the Carter Administration, disclaiming any further interest in receiving military equipment. From my position at the N.S.C., I learned that Cyrus Hashemi and another Iranian arms dealer secretly had reported to State Department officials that Iran had decided to hold the hostages until after the elections.

Between Oct. 21 and Oct. 23, Israel sent a planeload of F-4 fighter aircraft tires to Iran in contravention of the U.S. boycott and without informing Washington. Cyrus Hashemi, using his own contacts began privately organizing military shipments to Iran. On Oct. 22, the hostages were suddenly dispersed to different locations. And a series of delaying tactics in late October by the Iranian Parliament stymied all attempts by the Carter Administration to act on the hostage question until only hours before Election Day.

After the election, the lame-duck Carter Administration resumed hostage negotiations through Algerian intermediaries, but the talks stalled. On Jan. 15, Iran did an about-face, offering a series of startling concessions that reignited the talks and resulted in a final agreement in the last few hours of Jimmy Carter's Presidency. The hostages were released on Jan. 21, 1981, minutes after Ronald Reagan was sworn in as President.

Almost immediately thereafter, according to Israeli and American former officials, arms began to flow to Iran in substantial quantities. A former senior official in the Israeli Ministry of Defense told me that the shipments by air and sea involved hundreds of millions of dollars worth of equipment and that detailed lists of each shipment were

provided to senior officials in the Reagan Administration. Moshe Arens, the Israeli Ambassador to Washington in 1982, told The Boston Globe in October 1982 that Israeli's arms shipments to Iran at this time were coordinated with the U.S. Government "at almost the highest of levels."

Former officials and participants in the Reagan-Bush campaign team uniformly have denied any personal knowledge or involvement in such a deal, although none of them categorically denies that contacts with Iran before the 1980 election may have taken place. Richard V. Allen vehemently denies any agreement between the campaign and Iran over the timing of the hostage release. He told me and others, however, that there are "self-starters" in every campaign and that he cannot vouch for every "independent, freelance, spontaneous, over-the-ironsom" volunteer.

Can this story be believed? there is no "smoking gun" and I cannot prove exactly what happened at each stage. In the absence of hard documentary evidence, the possibility of an elaborate disinformation campaign cannot be excluded.

But all of that must be balanced against the sheer numbers and diversity of the various sources, from eight countries on four continents. Some 20 individuals, including myself and some of the sources mentioned above, have been interviewed and can be seen tomorrow night on the Public Broadcasting Service's documentary series "Frontline."

The allegations of these individuals have many disturbing implications for the U.S. political system. One is the tampering with foreign policy for partisan benefit. That has, of course, happened before and it may well happen again, but it assumes special poignancy in this case since it would have involved tampering with the lives and freedom of 52 Americans.

Another implication is that leaders of the U.S. exposed themselves to the possibility of blackmail by Iran or Israel. Third, the events suggest that the arms-for-hostage deal that in the twilight of the Reagan Presidency became known as the Iran-contra affair, instead of being an aberration, was in fact the re-emergence of a policy that began even before the Reagan-Bush Administration took office.

But finally, it implies a willingness to pursue private, high-risk foreign policy adventures out of sight of the electorate. That may be realpolitik. Its practitioners may indeed win big. But it is profoundly antidemocratic.

During my research, I spoke to several of the former hostages. I was deeply moved by the response of one in particular. After listening to the evidence, he said simply: "I don't want to believe it. It's too painful to think about it." Painful it is. But the rest of us are obliged to think about it. Hard.

[From the Boston Globe, Apr. 17, 1991]

REAGAN-KHOMEINI QUESTIONS

Was the release of 52 American hostages deliberately postponed until after Ronald Reagan's election as president in 1980? Did William Casey, the former CIA chief and Reagan's 1980 campaign manager, strike a deal with Iranian officials in October 1980, promising arms shipments to Tehran on condition that Ayatollah Khomeini delay the hostages' release?

These questions, addressed by public television's investigatory series "Frontline" last night, have haunted many people for more than a decade. The program, "Election Held Hostage," offered a rare example of tele-

vision living up to its potential for critical inquiry.

The questions are crucial not only because positive answers would disclose the origins of Reagan's covert missiles-for-hostages deal a few years later. If Casey and others in the Reagan campaign surreptitiously thwarted President Carter's efforts to have the hostages released, they violated the Logan Act, which prohibits citizens from conducting foreign policy, and thereby cast doubt on the legitimacy of Reagan's presidency.

Sources told "Frontline" and Gary Sick, a former member of Carter's National Security Council, that Casey met Khomeini's men in Madrid during July 1980 and in Paris that October.

Sick, who was seeking the hostages' liberation in October 1980, says that an Iranian arms dealer has since told him he helped arrange the meetings in Madrid. There, Sick says, Khomeini's representative promised not to release the hostages before Election Day, and Casey pledged that a Reagan administration would channel weapons to Iran. The hostages were set free minutes after Reagan was inaugurated: U.S. arms were shipped through Israel to Iran soon after Reagan took office.

It is not too late to pursue the whole truth. The hostages deserve to know if Reagan's campaign prolonged their ordeal, and all Americans deserve to know if the nation's foreign policy was first bartered to Khomeini in 1980.

[From the New York Times, Apr. 17, 1991]

A NEW IRAN HOSTAGE SCANDAL?

(By Leslie H. Gelb)

Hardball politics is one thing. But Presidential candidates or their aides interfering in life-and-death, war-and-peace decisions of sitting Presidents is quite another. It is treachery.

There is now strong circumstantial evidence that the Reagan campaign team in 1980 undercut President Carter's efforts to gain the release of Americans held hostage by Iran.

Such an act would be so subversive of the democratic process and Presidential authority that it must not be swept aside as "an old story" or "just a bunch of rumors." If it happened, those responsible must be exposed.

President Bush won't do anything. But Congressional leaders, if they have guts, should appoint a nonpartisan commission of private citizens to investigate the charges. Congressional committees with Democrats and Republicans playing their usual games cannot be expected to manage this task with the necessary dispatch and credibility.

The commission could include scholars with no party affiliation such as Graham Allison and Ernest May of Harvard, Nelson Polsby of Berkeley and John Gaddis of Ohio University. Two former Senators, the Democrat Abraham Ribicoff and the Republican Charles Mathias, also would bring stature and judiciousness to the investigation. Former diplomats like Samuel Lewis and Philip Habib would add experience. Throw in trusted Washington lawyers like Steven Umin and Sol Linowitz.

Based on reporting by the "Frontline" documentary team from PBS and independent research by Gary Sick, a highly respected former U.S. official, here are the allegations for the commission to chew on:

President Carter pressed hard in the summer of 1980 to obtain the release of the Americans taken hostage at the U.S. Embassy in Teheran. He hoped to gain their freedom before Election Day.

Mr. Carter toyed with offering Teheran arms to help fight off the Iraqi invasion in September. He surely had politics on his mind, but his actions were well within legitimate Presidential authority—and they made sense on national security grounds.

The worst fear in the Reagan camp was that Mr. Carter would use the advantages of incumbency to conjure up an "October surprise." And the worst surprise for Reaganites would be to see Mr. Carter greeting the hostages on the White House lawn a few days before the election.

Enter William Casey, Mr. Reagan's campaign chairman and future C.I.A. boss. The wily street fighter reportedly held two meetings in Madrid in July with an Iranian cleric representing Iran's leader, the Ayatollah Khomeini. Mr. Casey supposedly offered to provide arms to Iran if the Ayatollah delayed the hostage release until after Election Day.

Further meetings purportedly occurred in Paris in October at which both sides agreed to the Madrid formula. Several sources put Mr. Bush into this Paris picture. At the same time the Israelis, who were also a party to the Paris talks, secretly airlifted arms to Iran.

The lawlessness and recklessness of these alleged transactions seem now to foreshadow the Iran-contra affair, the trading of arms for hostages and money and then using the money illegally to buy arms for the anti-Sandinista rebels.

The smell also recalls similar shenanigans carried out by Richard Nixon's campaign team against Hubert Humphrey in 1968. At that time, President Johnson was nearing agreement to de-escalate the war in Vietnam, a move that would have boosted Mr. Humphrey at the polls. Forewarned, the Nixon camp contacted President Thieu of South Vietnam. Block the negotiations, the Nixon friends and aides told him, and a Nixon Administration will do far more to protect your interests than a Humphrey Administration.

Mr. Thieu took the bait, the peace talks stalled and Mr. Nixon won a close victory. Mr. Nixon ended up forcing an unpalatable treaty down Saigon's throat anyway.

No one will go to jail, the law notwithstanding, for such seedy and corrosive maneuvers. But the evidence about the 1980 campaign is serious enough and the implications for our democracy alarming enough to pursue the matter. Let's show that political values are not dead and find out what really happened.

[From Newsday, Apr. 29, 1991]

WAS BUSH INVOLVED?

The whispered rumors, circulating since the fall of 1980, have now become open and credible reports. They tell of a spy-novel intrigue in which top Reagan-Bush campaign officials secretly conspired with Iranian go-betweens and arms dealers to delay the release of 52 American hostages until after the 1980 election, in exchange for U.S. military equipment the Iranians desperately needed.

Once and for all these reports of a despicable quid pro quo must be investigated thoroughly, independently and publicly. Former President Jimmy Carter is right: The time has come for a blue-ribbon commission to determine whether this grave tampering with the electoral process took place—and whether our current president was involved.

The story, newly researched by former Carter administration national security aide Gary Sick and by the PBS program, *Frontline*, places William Casey—World War II

spymaster, director of the Reagan campaign and later Reagan's CIA chief—at a series of clandestine European meetings with various Iranian representatives in the fall of 1980. The idea was to strike a deal with the Iranians to not release the hostages. Such a release, the Reagan campaign feared, would restore confidence in Carter and turn the election his way. In exchange for Iran's holding the 52 captive diplomats until after the election, the Reagan representatives allegedly promised to ship Iran military hardware and spare parts it needed in its war against Iraq. Israel was to be the conduit for these shipments.

There are various reports that George Bush, then the vice presidential candidate and now president, was present during one meeting on this scheme, in Paris. The White House has denied this. There is ample evidence, including accounts by former State Department officials, that secret shipments of U.S. military equipment to Iran did occur shortly after President Ronald Reagan was inaugurated. And, of course, an almost identical deal was made later in Reagan's presidency—with Casey at its center—that became the Iran-contra scandal.

It's time for independent investigators to dig into the mountain of evidence in this case, and distill the truth. A panel appointed by Congress and the president might do the task, or another impartial body would do. The public must know whether reprehensible election-tampering and disastrous free-lance diplomacy really took place.

[From the Washington Post, Apr. 26, 1991]

CARTER SEEKS PROBE OF IRAN-DEAL CLAIMS

ATLANTA, April 25.—Former president Jimmy Carter today called for an investigation into charges that members of Ronald Reagan's 1980 campaign team struck a deal with Iranian leaders to keep American hostages captive until after the November election.

Speaking to reporters, Carter called the suggestion that Reagan staff members conspired to keep hostages in Iran "almost nauseating."

"But the evidence, I think, is so large that I think it has aroused a genuine question," Carter said. "I think there ought to be more thorough investigation of the allegations."

Carter said he had heard speculation for a decade that William J. Casey, director of the Central Intelligence Agency in the Reagan administration, was part of the alleged plot and had dismissed it as "inconceivable."

Fifty-two of the Americans taken captive when Iranians stormed the U.S. Embassy in Teheran in 1979 were held for 444 days—until the day of Reagan's January 1981 inauguration.

[From the Washington Post, Apr. 29, 1991]

WAS THERE AN "OCTOBER SURPRISE"?

It is such a loathsome act that it takes a large leap of imagination to think that anyone would have deliberately contrived to delay the release of Ayatollah Khomeini's 52 American diplomatic hostages in order to confer political advantage on Reagan in his presidential campaign of 1980. The cynicism would have had to be world class when you consider that, once in power, President Reagan was apparently so disturbed by the continued detention of another, smaller group of American hostages, those in Lebanon, that arms-for-hostages negotiations with the Iranians had actually been conducted. A Republican-devised "October surprise" in the 1980 campaign? Not only was

the possibility loathsome, but no hard evidence supported it.

All this was before the research and analysis of Gary Sick came into the public domain—most notably in a New York Times op-ed piece recently. A Ford and then Carter administration National Security Council aide who now teaches Middle East politics at Columbia, Mr. Sick examined and, in hundreds of interviews, expanded the still-insufficient factual record of this case. Mr. Sick suggests that Reagan campaign director William Casey, who died in office as Mr. Reagan's intelligence chief, may have masterminded what might be called a delay-for-arms negotiation in which, for arms delivered by Israel, Iran undertook to release the hostages not on Jimmy Carter's watch but on Ronald Reagan's. In fact, this is the way it turned out. Mr. Carter bore the full brunt of the political burden of failing to retrieve the 52 hostages, and Mr. Reagan reaped the bonanza of having them freed just a few minutes after he was sworn in.

In politics, many matters are left murky, many loose ends left untied. Appointed director of the CIA, Mr. Casey subsequently died and cannot respond to these latest allegations of secret and unscrupulous dealing. Other Reagan campaign aides have issued stout denials. Mr. Sick himself acknowledges he has no "smoking gun."

The matter is so grave, however, that notwithstanding its evident sensitivity and openness to political abuse, it seems wrong to leave it where this latest, incomplete academic review has left off. Especially is this so in light of the availability of other witnesses and documents that could be examined with the aid of the subpoena power. The monstrous charges have now taken on a damaging enough life to require resolution.

[From the Los Angeles Times, May 5, 1991]

THE PRESIDENCY, BY ANY MEANS

(By Stuart E. Eizenstat)

Evidence that the chairman of the 1980 Ronald Reagan presidential campaign, William J. Casey, a former member of the wartime intelligence service and later CIA director, met with leading Iranians to foreclose the release of American hostages before the election to ensure President Jimmy Carter's defeat, fits into a disturbing modern historical pattern.

That Casey was so involved is the startling conclusion by both PBS in its documentary "The Election Held Hostage" and in the New York Times by Gary Sick, my former colleague in the Carter White House and a person of unimpeachable integrity.

As the country is poised to embark on the 1992 presidential campaign season, this alleged incident and its recent progeny underscore the lengths to which campaigns will go to secure the prize of the presidency and give cause for the American people to question the integrity of their most important election.

American political campaigns have always been rough-and-tumble affairs in which there is no room for the fainthearted and few rules of combat. Because of our weak political party structure, which necessitates a high degree of individual entrepreneurialism, and the difficulty of projecting a meaningful political message over a huge continent to an electorate generally uninterested in issues, American political campaigns have historically relied heavily on negative caricatures of opponents.

As long ago as the campaign of 1800, Alexander Hamilton wrote that John Adams had "great and intrinsic defects in his character

which unfit him for the office of Chief Magistrate," while Federalists charged that Thomas Jefferson had behaved in a cowardly fashion as Virginia governor during the Revolution and that he was a "mean spirited, low lived fellow, the son of a half-breed Indian squaw * * * raised wholly on hoe-cake made of coarse-ground Southern corn, bacon and hominy, with an occasional change of fricasseed bull frog."

The presidential campaign of 1884 between James G. Blaine and Grover Cleveland was one of vilest ever waged. Democrats accused Blaine of public corruption while Republicans attacked Cleveland of an illicit affair with the famous ditty: "Ma! Ma! Where's My Pa? Gone to the White House, Ha! Ha! Ha!"

More recently, Lyndon Johnson's 1964 television ad of a young girl interrupted in picking flowers by a nuclear explosion, implying that Republican Barry Goldwater would be an irresponsible trustee of the nuclear button, and the 1988 Bush campaign ad on Willie Horton, implying that Michael Dukakis would be soft on crime, are recent examples of the same genre of political exaggeration to make a point.

While such negative attacks are hardly admirable, each was an open charge, rebuttable by the accused candidate and ultimately subject to the court of public opinion. The Johnson ad was pulled quickly because of the effective attack on it by the Goldwater campaign, while the Bush ad had an indelible impact on the electorate only because Dukakis never designed to demonstrate its untruth until it was too late.

But the contention that Casey sabotaged an early hostage release during the 1980 election fits into a recent pattern of far more insidious presidential campaign excesses, in which laws may be violated and voters are deprived of information on which to make an informed judgment before the election. Each of these instances had a major impact on the presidential election and on the course of American history.

In the 1968 presidential campaign I served as research director for the presidential campaign of Hubert H. Humphrey. There is convincing evidence that the Nixon campaign at a critical stage in the election, following a bombing halt in the Vietnam War that had led to a surge in Humphrey's support, had Anna Chennault contact South Vietnam's President Nguyen Van Thieu. She persuaded him not to participate in Paris peace talks, because he would get a better deal from a Nixon presidency.

While President Johnson learned of this perfidy before the election, he chose never to disclose it. We watched with unknowing dismay as Humphrey's rising popularity aborted in the concluding days of the campaign when South Vietnam mysteriously and unexpectedly announced its refusal to join the peace talks, despite the entreaties of the President who had committed hundreds of thousands of American troops to that country's survival. This 1968 episode makes it clear that Richard Nixon's "dirty tricks" reelection campaign directed against Edmund Muskie and the subsequent Watergate theft and coverup in 1973 were not aberrations but were part of a clear pattern of Nixon campaign tactics.

The 1980 Iran hostage episode, if true, bears a striking resemblance to the Anna Chennault caper. In each case, there would be a clear interference with the conduct of American diplomacy.

The 1980 Reagan campaign, chaired by Casey, admitted after the election that it had come into the unauthorized

possession—whether by theft, a mole in the Carter campaign or a disaffected Carter campaign worker—of the briefing book used to prepare Carter for the penultimate event of the 1980 campaign, the presidential debate with Reagan.

Perhaps the crucial point in the debate occurred when Reagan deftly responded to the President's charges of his opposition to Medicare by saying, "There you go again." This was hardly spontaneous, we can now surmise, because the debate book gave him the Carter script to be used in attacking his record. Here there were possible violations of the law in purloining documents. But far more important, nothing came to light in time for the public to form its own judgments of this conduct.

Thus, the 1980 Iran hostage allegations fit into a Casey-directed campaign that had already lowered its standards. It is easy to forget, in Reagan's landslide victory, that polls showed the election a tossup the weekend before the election, when a hostage deal again seemed possible. We felt helpless as the hostage release and reelection evaded us.

American and world history would certainly have been vastly different if Humphrey and Carter had been elected. The sad message is that the campaigns employing these tactics—far more sordid than mere public attacks on an opponent—got away with it, and may continue to do so in the future. Election results cannot be changed retroactively. The only small satisfaction comes from hoping that the truth will ultimately come out and that it will effect history's judgment of those who have fouled our political system. In the case of the 1980 Iranian hostage matter, the least that can be done is for Congress, and indeed the Bush Administration, to jointly appoint a blue-ribbon bipartisan commission to get to the truth of the matter.

AN OPEN LETTER TO THE UNITED STATES CONGRESS FROM FORMER AMERICAN HOSTAGES IN IRAN

JUNE 13, 1991.

Dear Members: The Iran Hostage crisis of 1979-1981 was a very trying time for our nation. The people and government of the United States were shocked and angered as the Iranian revolutionary forces attempted to use the U.S. Embassy hostages as political pawns. Efforts to gain freedom for those who were held proved frustrating and difficult. After 444 days of captivity, the hostages were returned, but the impact continues to affect us.

For the last ten years there have been rumors, reports and allegations of foul play in the 1980 presidential election. The thought that any American, whether a private citizen or government official, may have participated in delaying release of the hostages for political gain is distressing. Until recently, these allegations have been dismissed as unsubstantiated. But substantial enough information has been presented by respected and persistent investigators to warrant a thorough examination of this matter.

It is not appropriate to say there is insufficient proof—until there has been an official investigation. The question of whether there is evidence of any wrongdoing must be answered by an unbiased, bipartisan congressional investigation with full subpoena power. Unless this happens, speculation and unanswered questions will erode public confidence in our electoral system.

Respectfully,

Charles W. Scott, Barry Rosen, Moorhead Kennedy, Jerry Plotkin, David M. Roe-

der, Robert C. Ode, Kevin J. Hermening, Donald R. Hohman.

[From the New York Times, June 26, 1991]

A NECESSARY INQUIRY

Despite Democrats' fears of the political result, they can hardly avoid a formal Congressional inquiry into the charge that Ronald Reagan's aides conspired with Iran in 1980 to hold up release of American hostages until after the election.

That charge, bruited about for years and vigorously denied by Mr. Reagan, has taken on weight recently, owing mainly to support from Gary Sick, a member of President Carter's national security staff. He now teaches at Columbia University.

Mr. Sick, an authority on Iran, has written that long study of the matter overcame his original skepticism. He now believes a meeting in Madrid between senior Iranians and William J. Casey, the director of the Reagan campaign, may have arranged a delay of the hostages' release to benefit Mr. Reagan's election chances.

A Congressional inquiry obviously is the best means either to validate this serious allegation—which Mr. Sick is not alone in making—or to lay it to rest. If it were sustained, the political problems created for the Republicans and President Bush probably would be substantial. But some Democrats, including Speaker Tom Foley, worry that if the charge can't be proved they'll suffer a political backlash for looking into it.

These political considerations, important as they may be, are secondary to the questions whether democracy's most vital function—a national election—as well as a President's conduct of foreign policy were illicitly distorted for partisan political advantage. And a deliberate two- or three-month delay in the release of the hostages would have been a despicable tactic, for any reason.

A Congressional inquiry need not be a big, showy affair, as were the Watergate hearings or those on Iran-contra in 1987. Then, a President in office and his lieutenants were being investigated, generating great public interest; impeachment of Mr. Nixon or Mr. Reagan was at least a possibility. Now, a historical matter of far less immediacy is at issue; and while President Bush's political prospects might be affected, nothing suggests his possible impeachment.

What happened in 1980, if anything, did not elect George Bush in 1988; at most, it helped him at eight years remove and probably without his complicity. Mr. Bush has strongly denied any knowledge of the alleged 1980 deal and it hardly seems possible that, while a Vice-Presidential candidate very much in the public eye, he could have traveled in secret to Europe to help make that deal, as has been alleged.

The very fact that some Democrats are reluctant to open an inquiry, for fear that it might backfire on them, is further reason that it probably would not be a "show trial." A small, select committee with adequate Republican representation could conduct a discreet investigation, without televised hearings, at least until a *prima facie* case was established or repudiated.

Certain circumstances, beyond the findings of Mr. Sick and others, suggest the need for such an inquiry. This is the second case, for example, in which Republican campaigners have been accused of tampering with foreign policy for political purposes. In 1968, Nixon aides were charged with persuading the South Vietnamese to delay their participation in peace talks to deny possible advantage to Democrats in that year's elections.

Some allegations suggest, moreover, that the proven later dealings of the Reagan Administration with Iran grew out of the alleged hostage deal in 1980. Mr. Bush, in denying that he knew of such a deal did not insist that it never happened. Mr. Reagan, as usual, only said he knew of no such arrangement; but he never knew much of what went on around him.

The overriding reason for a Congressional investigation is the possibility that the truth might be established. The death of Mr. Casey, who would have been the key witness, and the unavoidable political aspects of an inquiry, may make that possibility remote. But such a search is necessary—as Representative Butler Derrick, a South Carolina Democrat, put it—because the charge "goes to the root of what democracy is all about."

An investigation might end in political advantage for the Democrats, or possibly do them damage. It might remove an alleged blot on the reputations of Mr. Casey and the Republicans, or it might confirm it. Either way, Congress has a historical imperative and an institutional responsibility to seek the facts.

[From the Washington Post, July 9, 1991]

HOSTAGES TO THE PAST

(By Haynes Johnson)

Six months before the first ballots are cast in the Iowa caucuses and only a year before their nominating convention, Democrats have no presidential candidates—well, one. But they're going to win the 1992 election by showing that the 1980 Reagan landslide was stolen from them.

If that sounds cynical, so be it. Seldom has a political party been more deserving of scorn than these present inheritors of the mantle of Jefferson, Jackson, Wilson, Franklin Roosevelt, Truman, Kennedy and Johnson, all of whom really were fighters for what used to be known as the "people's party."

The paucity of candidates is not the problem; it's the absence of collective will that is so dismaying. And there's hardly an absence of issues. This is not 1984 revisited, that happy "Morning in America" time when no dark clouds dampened national optimism about the future. The issues now are stark: banks failing, pensions in jeopardy, health clinics closing, cities and states battling the worst budget crises since the Great Depression, crumbling infrastructure, gripping national recession.

Every major political survey and public opinion sample concludes that Americans think the country is headed in the wrong direction. They're most worried about domestic conditions. Yet the message that Democrats apparently want to send the country is that they aren't so much interested in dealing with the present because the past holds them hostage.

Thus, this week's twin announcements that Democrats will lead an investigation into the "October surprise" hostage issue during the 1980 campaign and that Sen. John D. "Jay" Rockefeller IV (W.Va.) has become yet another potential Democratic presidential candidate choosing not to run.

That's not to suggest that Democrats should drop plans to investigate whether Reagan political operatives made a secret deal with Iran to hold American hostages until after the 1980 election in exchange for secret arms shipments. The "surprise" is not a frivolous tale, another concoction of the legion of conspiracy buffs. Serious allegations have been made, and as House Speaker Thomas S. Foley (D-Wash.) said, for the good

of the country they deserve to be addressed as definitively and fairly as possible.

In that connection, a recent conversation with Gary Sick, the former White House aide to President Jimmy Carter, who has been investigating the allegations about the hostages for several years, is instructive. Sick, a quiet, careful man who radiates integrity, was commenting on a statement by Ronald Reagan in June to reporters as he golfed with President Bush. It was a typical, unintentionally provocative remark by Reagan, saying more than he probably intended and opening himself up to new questions about his own role.

As Sick said, it was "one of the most remarkable things to come out on this story. If you read the Reagan statement, when he's asked if he did anything to keep the hostages in Iran, he says, 'I did some things actually the other way to try and be some help to get the hostages out of there.' That is the very first time anybody involved in the 1980 Reagan campaign has said they were doing anything about the hostages."

"It directly contradicts what they've all been saying repeatedly: That no person was involved, that they wouldn't touch that issue with a 10-foot pole, that they were keeping it at absolute arm's length. They have said over and over since then that we only have one president at a time and that the president is responsible for foreign policy and they were not going to be involved. But now, according to Reagan, they *do* appear to have been involved."

"Then the reporters ask Reagan: Did his efforts to help get the hostages out involve contacts with anybody in Iran? And he answers, 'Not by me.' What about some of his aides? he's asked. And he says, 'I can't get into the details of that. Some of those things are still classified.' That business about it being classified is pure nonsense."

Sick concluded: "The strong implication is that somebody involved in the Reagan campaign *did* have something to do about the hostages. If they were in fact trying to get the hostages, they should have been coordinating their efforts with the White House because we were also deeply involved in trying to get them out. I can tell you absolutely that they made no such contacts with us in the White House. I really regard this as a major breakthrough. It tends to confirm things that we already suspected."

That is only one of many reasons for the formal congressional inquiry to go forward. Perhaps it might even trigger Democratic initiatives in other areas. That would be the real political surprise.

[From San Francisco Examiner, Aug. 4, 1991]

DID REAGAN CAMPAIGN CROSS THE LINE?

(By Christopher Matthews)

WASHINGTON.—Ronald Reagan's campaign was deathly afraid in the summer and fall of 1980 that the man I was then writing speeches for, Jimmy Carter, would pull a rabbit out of his hat. They saw him exploit the Iranian hostage issue to defeat challenger Ted Kennedy. They witnessed the unsuccessful rescue mission known as Desert One. With the November election approaching, the Reagan team had reason to believe a second rescue attempt was being prepared or, absent that, a diplomatic deal to gain an election-eve release of the 52 American officials held in Tehran.

To discount the positive political impact of an 11th-hour release, Reagan's vice presidential running mate coined the term "October surprise." If Carter was successful in springing the Iran-held hostages, his

achievement should be viewed primarily as a pre-election gimmick rather than the fulfillment of his presidential duty.

The Reagan people took other steps to minimize an "October surprise." Edwin Meese wrote an Oct. 24, 1980, memorandum to other top Reagan aides informing them that former Adm. Robert M. Garrick had been assigned to monitor all administration efforts to release the hostages. Meese directed campaign aides to check with Garrick to learn of any "change in the situation."

This memo sits in the files of the House Committee on Post Office and Civil Service. It is accompanied by an affidavit from Garrick himself admitting that he had contacted military reservists to check on "large aircraft movements" that might be part of a rescue mission.

That \$64,000 question is whether Reagan's people did more than simply monitor the hostage situation. Did campaign chairman William Casey, a former OSS chief in World War II Europe, or any other Reagan loyalist actively open contact with the Iranians? Did they, implicitly or explicitly, lead the Ayatollah Khomeini to think that a President Reagan would be more flexible in his dealing with Iran's revolutionary government than his harsh campaign rhetoric would suggest? Did they, in other words, offer hope that Carter's arms embargo might be modified should Reagan win the election?

Several factors argue this is precisely what may have happened in those critical months prior to the 1980 presidential election.

One is arms shipments. Within weeks of Reagan's inauguration, Israel was providing Tehran with desperately needed spare parts for its U.S.-made military equipment.

The second factor is the Reagan administration's documented readiness to use arms as ransom. We know that Reagan sent military equipment to Tehran to win freedom of later American hostages. The former president finally admitted as much in a speech to the nation on March 4, 1987. The only question is whether they, through a wink, a nod or a handshake, let the Iranians know back in 1980 they were willing to play this game. If they did, they pulled the rug from under Carter's negotiations, kept the hostages in Tehran several extra months and inflicted immense cruelty on their families. They would have been, in a criminal sense, accessories after the fact to an international kidnapping.

Rep. Butler Derrick, D-S.C., one of those pushing hardest for a full investigation, sees "too many coincidences" in the hostage crisis. Ever since the hostages were released, just minutes after Reagan's inauguration, Derrick has wondered why the zealots in Tehran had chosen to make peace with Reagan, a candidate who had been "damning Iran at every turn," rather than with the moderate Carter. Later, Derrick wondered why the military spare parts had begun flowing into Tehran just weeks after the new administration had taken office.

The only way to answer such questions is with a serious, low-key congressional investigation. There is no need for lights, cameras and outlandish lawyer's fees. The people involved are few. They can be quickly and quietly asked, under oath, if they know anything about contacts between the Reagan campaign and the Iranians.

It's up to Speaker Tom Foley to get this done.

[From the United Press International, Aug. 6, 1991]

BUSH WELCOMES PROBE, IF IT PROVES ANYTHING

WASHINGTON.—President Bush welcomed a congressional investigation into the so-called "October surprise" Tuesday if it uncovered anything, but subtly warned Democrats about using the 11-year controversy for political leverage.

"Just so it's fair," Bush said in his first public response to Monday's announcement that Congress will formally investigate allegations that the 1980 Reagan-Bush campaign sought a delay in the release of American hostages in Iran to benefit the Republicans' chances in that year's presidential election. "If they've got something and they can get to the bottom of this and prove it one way or another, so much the better," said Bush aboard Air Force One as he headed to Maine for his annual summer vacation. "But if it's simply something else as we approach a political season that wouldn't be good."

Speculation has surfaced on-and-off for 11 years that Reagan campaign officials, at the very least, sought to negotiate a deal with Iran to delay the release of 52 American hostages held for 444 days by revolutionaries under the control of the late Iranian ruler Ayatollah Ruhollah Khomeini.

Within the past few months, new allegations have surfaced that members of the Reagan team met with Iranian intermediaries, shady arms dealers or other Middle East operatives to cut a deal for the hostages release.

The inability of President Jimmy Carter to secure their release contributed to his unpopularity and helped spell his defeat to Reagan in the 1980 election. The hostages were released as Reagan was taking the oath of office.

The Reagan and Bush administrations have denied the allegations.

In announcing the probe, House Speaker Thomas Foley, D-Wash., and Senate Democratic leader George Mitchell of Maine said that committees from each house will review the case based on "persistent and disturbing" reports.

"We have no conclusive evidence of wrongdoing, but the seriousness of these allegations, and the weight of circumstantial information, compel an effort to establish the facts," read a joint statement from Foley and Mitchell.

The president raised the specter of political motives, but said that he did not think the two Democratic leaders intended to conduct such a proceeding.

"If they're got some evidence, and it's hard evidence and not just based on outrageously flimsy sources, fine," said Bush, adding that he hoped the affair would not develop into a "wild goose chase."

[From the Los Angeles Times, Aug. 6, 1991]

YES, DO TRY TO CLEAR THE AIR

Last April, Gary Sick, an analyst who was on President Jimmy Carter's National Security Council, resurrected rumors of a secret deal designed to guarantee Ronald Reagan's election.

The purported deal, for which there is a denial to match every lurid detail, involved a promise by the Ayatollah Ruhollah Khomeini of Iran to keep 52 Americans locked up until the 1980 election was over. His reward was cash or arms.

Sick says he started out doubting the rumors but that two years of investigation in the United States and abroad persuaded him

the deal was indeed struck. His disclosure had one thing in common with every other report about the Republican "October surprise" since 1981: no proof.

After agonizing for months over what to do about the resuscitated rumors, Democratic leaders on Monday announced a congressional investigation. They acknowledged a lack of "conclusive evidence of wrongdoing," but House Speaker Thomas S. Foley said the inquiry would be an effort to "put these allegations to rest."

Republicans hooted at the preposterous notion that hearings certain to overlap the onset of the next presidential election campaign could be a truth-seeking endeavor, untainted by politics. It probably struck many Americans the same way.

Ironically, the inability to take at face value anything that is said by virtually anyone in politics or government is precisely why the investigation is crucial. It's hard to know just when—or even exactly why—the decline began in Americans' faith in their government's ability to do things right or to tell them why things went wrong.

Thus an investigation is in order. The charge is of high crimes—endangering the lives of Americans for domestic political advantage and interfering with then-President Carter's conduct of foreign policy. Done right, getting to the bottom of the hostage rumors could be a small step toward salvaging some of what American politics has lost over the years. What makes it possible to hope it will be done right is that Democrats are as aware as any—perhaps more than most—of the magnitude of mistrust and cynicism they must overcome to put the matter to rest.

The way to proceed is to assemble an intelligent, professional and bipartisan investigatory team. The Democrats will be playing with fire if they play politics with this very serious matter. By weighing and disclosing the evidence, a properly conducted congressional investigation can clear the air. Improperly conducted, it can pollute the atmosphere with political hot air and add to government's credibility problem.

[From the Boston Globe, Aug. 6, 1991]

"OCTOBER SURPRISE" PROBE

The persistence of claims that members of the 1980 Reagan-Bush campaign staff arranged to delay the release of 52 Americans held hostage in Iran until after the presidential election that year justifies the ordering of a congressional probe. The investigation is warranted even if it only puts an end to the speculation that continues to swirl around the timing of the release of the hostages—mere minutes after Reagan was sworn into office.

There is no denying the allegations are "persistent and disturbing," as the congressional Democratic leadership noted. House Speaker Thomas Foley and Senate Majority Leader George Mitchell feel that despite a lack of conclusive evidence, "the seriousness of the allegations and the weight of circumstantial information compel an effort to establish the facts."

For more than a decade rumors have endured that a secret deal by Reagan campaign officials delayed the hostages' release for three months. They were held in Tehran for 444 days.

But the rumors took on credibility in April when Gary Sick, who had been an official on former President Jimmy Carter's National Security Council, wrote an article carried by The New York Times. Sick claimed that Reagan campaign officials, led by the now

deceased CIA director, William Casey, feared Reagan might be defeated by an "October Surprise" in which Carter would obtain the hostages' release before the election.

In fact, Carter was engaged in the behind-the-scenes negotiations at that time which he felt were likely to free the hostages. Without explanation, the Iranians suddenly ended these talks.

Sick maintains that Casey met with Iranians in Madrid and arranged a delay in the hostages' release, in exchange for military weapons which Carter had prevented the Iranians from having. Neither Sick nor the investigative PBS program "Frontline" could prove the claims, but a substantial amount of circumstantial evidence has built up.

To reduce the risk that the probe will be misused as a political weapon, the House and Senate will rely on standing committees and testimony given under oath. The political dynamite posed by the allegations makes it imperative that the investigation be above board and above suspicion.

Only a substantive investigation, however much needed, can satisfy—prove or refute—such damaging charges.

[From the Charleston News & Courier, Aug. 7, 1991]

LOW KEY APPROACH (By Sandy Grady)

WASHINGTON.—The late Bill Casey talked in such a staccato mumble that Republican insiders joked he had a built-in voice scrambler.

But Casey was clearly understood, soon after he became Ronald Reagan's campaign director, when he told reporters, "My worry is the other side will pull off an October surprise."

That was a fear verging on paranoia that gripped Reagan's 1980 campaign staff—a release of 52 U.S. hostages held by the Iranians might dramatically tip the election to Jimmy Carter.

Did Casey, a man who wallowed in cloak-and-dagger intrigue, rig an "October Surprise" of his own? Did he make a secret, illegal deal with the Iranians to hold the hostages until Reagan was safely in office?

That's The Story That Would Not Die. You don't have to be a conspiracy freak to marvel that Reagan, minutes after his 1981 inauguration, could crow, "The hostages are in the air." Or to think it peculiar that Reagan's crew began shipping arms to Iran.

Sure, the tale sounds like fantasy out of a Robert Ludlum thriller—a bunch of hotshot political connivers playing dice with hostages lives to pervert an American election. Or worse, like whiskey talk from sour-grape Carterites.

But if true—and Bill Casey proved at the CIA that he was a capable of any weird caper—it would be a monstrous treachery dwarfing Watergate.

Now, after years of backroom whispers, two congressional committees will chase the shadows of "October Surprise." No wonder House Speaker Tom Foley, when he unveiled the investigation on Monday, was as enthusiastic as a man plodding to a dentist for a root canal.

"I am, in a sense, reluctant," said Foley, "but I was convinced these persistent rumors indicated an inquiry should be held."

Gray, cautious Tom Foley hated to walk into the "October Surprise" minefield. The affair would blow up in Democrats' faces if they spent months uselessly pursuing 11-year-old ghosts. Republicans would howl they were undercutting the '92 elections. They might make Bush, already a war hero, into a martyr.

But Foley was under pressure from younger firebrands—notably Rep. Butler Derrick, D-S.C., and Robert Torricelli, D-N.J.—to dig into the 1980 story, damn the risks.

"History demands we find the truth," insisted Derrick, who lined up 75 House Democrats to light a torch under Foley.

"It's clear something occurred," Torricelli said. "The American people might get a cold dose of political reality."

Sure, Reagan operatives from the 1980 campaign—including the Gipper, who called it "fiction"—scoff at the "October Surprise" conspiracy. Ed Meese sneered that the story was "a floating crap game."

What Foley couldn't ignore was the voice of Gary Sick, a level-headed Middle East expert who had been a Carter national security aide. Sick's New York Times op-ed piece was a hand grenade. Sick said "hundreds of interviews" over two years convinced him Bill Casey had run an arms-for-hostage scam with Iran to cinch the White House for Reagan.

"There is no smoking gun," Sick acknowledged. The witnesses were arms dealers, gun runners, drug smugglers, con men, "not Boy Scouts." Or like Casey and accused bagman Cyrus Hashemi, they were dead men who'd tell no tales.

Foley was damned either way. If he let the "October Surprise" story fester, Democrats would rap his timidity. If he staged showy, televised hearings, Republicans would scream politics. Foley made two smart moves.

First, he took George Bush off the hook. Charges never seemed plausible that Bush, a veep candidate and outsider, met with the Iranians in Paris. "I was never in Paris in 1980," Bush insisted angrily. "That's all. Print it."

Now Foley says he and Senate Majority Leader George Mitchell "accept President Bush's word. Translation: The investigation, which could linger into the 1992 campaign, won't be an exercise in Bush-bashing."

Second, Foley downplayed showbiz TV hearings in the style of Watergate or Iran-Contra. Bipartisan panels under Rep. Lee Hamilton, D-Ind., and Sen. Terry Sanford, D-N.C., will quietly follow the paper trail and quiz witnesses. If they find credibility, then comes Stage Two—Show & Tell Time.

Even Foley's low-key approach drew walls of anguish from Republicans. Digging up Bill Casey's 1980 sins, they snarled, was dumber than exhuming Zachary Taylor's bones.

"If it's just a political witch hunt, it's foolish," said Bush spokesflack Marlin Fitzwater—the same authority who savaged Gary Sick as "the Kitty Kelley of diplomacy."

House Republican leader Robert Michel of Illinois, who tried hard to discourage Foley, called it "a charade" and "political shenanigans" that would be "a waste of time and taxpayers' money."

"People back home," fumed Michel, "don't give two hoots."

I suspect Michel's "two hoots" estimate is correct. Few Americans get an adrenaline rush from this dusty, forgotten, possibly untraceable scandal. Who cares?

Despite the public's low voltage, excitement, though, it's important to nail down the "October Surprise" ghosts. If Reagan's connivers gambled with hostages' lives, ran a foreign scam and tampered with a presidential election, that's a historic monstrosity.

[From USA Today, Aug. 6, 1991]

PROBE "OCTOBER SURPRISE"

Rumors that a political dirty deal called "October surprise" delayed release of U.S.

hostages in Iran could be all smoke and no fire.

Or there could be a smoking gun.

Either way, it is good news that House and Senate Democratic leaders finally have decided to investigate.

They have agreed to look into longstanding stories that officials of the Ronald Reagan-George Bush campaign promised arms to Iran to hold the U.S. embassy hostages until after the November 1980 election to seal President Carter's defeat.

Troubling questions have been raised about the release of the 52 hostages from 444 days in captivity minutes after President Reagan was inaugurated.

Did plane loads of U.S. military equipment go through Israel to Iran soon after the inauguration?

Is there any substance to the stories of 15 people on three continents who claim there was a hostage deal, cited by Gary Sick, a former aide to Carter?

To their credit, Presidents Carter, Reagan and Bush have called for these ugly rumors to be investigated and laid to rest.

Some still insist that such an investigation is a waste of time, money and energy. House Republican Leader Bob Michel of Illinois says that "people back home don't give two hoots."

He's wrong.

People do care when there are rumors of high public officials involved in playing politics with the lives of hostages.

People do care when charges of dirty deals are ignored or swept under the rug.

People don't care for unresolved mysteries and vague suspicions.

The truth will do just fine.

[From the Washington Post, Aug. 7, 1991]

PROBING THE 1980 REAGAN CAMPAIGN

There is a distinct absence of enthusiasm among congressional democrats for the inquiry they have launched into the ugly, unproven theory that to keep Jimmy Carter from reaping electoral advantage in 1980 by bringing home diplomats held hostage in Iran, the Reagan campaign team conspired with Iranian officials to delay their release. It is recognized that some key sources are dead (including William Casey, the Reaganite said to have made the Iran contact), that others (including former Iranian premier Abolhassan Bani-Sadr) are of dubious reliability and that the truth lies buried beneath layers of secret exchanges and is subject all around to deceptions. No wonder the Democrats moved cautiously, aware of the risks of appearing to have triggered a partisan probe and of coming up with no constructive results.

Yet as the Democratic leadership argued, "the seriousness of the allegations, and the weight of the circumstantial evidence, compel an effort to establish the facts"—in what will start out as a closed-door investigation. Presidents Carter, Reagan and Bush have broadly consented to the proposition that it is worth trying to put to rest a corrosive allegation. Mr. Reagan has categorically denied the conspiracy charge, reporting that his campaign contacts with Iran ("we did some things . . . still classified") were conducted for the legitimate purpose of extricating the 52 Americans. Mr. Bush, who was in 1980 Mr. Reagan's vice presidential running mate, has similarly denied a part in or knowledge of a conspiracy. Democratic leaders explicitly accepted his denial when they announced the investigation.

It seems idle to think investigators are going to get to the very bottom of this af-

fair. How is it going to be established, for instance, whether American weapons routed to Iran in early 1981 were the agreed payoff for the delayed release of the hostages on Ronald Reagan's watch or the delivery on Jimmy Carter's earlier offers to free up Iran's own, paid-for, frozen arms once the hostages were out, or something else? An inconclusive result could yet be taken by the conspiracy constituency as evidence of a coverup. Still, it should be possible for careful investigators, using the subpoena power, to narrow the realm of the uncertain, smother some of the rumors and offer a version superior to what is available now. In the circumstances, this would be no small thing.

[From the New York Times, Sept. 2, 1991]
FOLKS BACK HOME DO GIVE A HOOT HOW '80
ELECTION WAS WON

To the Editor:

Responding to the coming Congressional investigation of whether or not the 1980 Reagan campaign improperly interfered with the attempt to secure the return of American hostages in Iran, House Minority Leader Bob Michel said that he didn't think the people back home gave two hoots about what happened 10 years ago (news article, Aug. 6).

I am 78 years old. I was a construction worker and now run a small business. I have lived through one major depression, two world wars and other national crises and traumas. I am an ordinary American. My wife and I have struggled to raise a family, provide for their education, insure their health care and prepare them for a better future.

Now, largely as the result of Federal policies during the last decade, I believe my grandchildren face dimmer prospects than their parents did because of what happened 10 years ago. They have been robbed of at least some of their future, in part because of the kind of arrogance in Washington that has led politicians to believe they can get away with anything because "the people back home don't care two hoots."

The people back home do care two hoots about what happened 10 years ago. We all know Jimmy Carter lost the election, but we do give two hoots about how he lost and about how Ronald Reagan won.

We give lots of hoots about the Iran-contra affair and why Mr. Reagan did not know what was happening in his own Rose Garden; about the scandal at the Department of Housing and Urban Development, the savings and loan scandal and the Bank of Credit and Commerce International scandal and how they have all picked the ordinary taxpayer's pocket.

And we give a few hoots too that American families can no longer afford to send their children to college, can no longer afford to pay for medical care and must increasingly have two wage earners to make ends meet.

We care about what happened 10 years ago and how we came to have a multi-hundred-billion-dollar deficit, and how that deficit has begun to erode our Social Security and Medicare systems, as well as other essential services.

We care about our declining school systems, the growing economic disasters in our cities and the loss of hope. We care about the rising numbers of homeless in our streets—not even in the Great Depression did I see that—and we wonder how long we will be paying for the economic plundering that began 10 years ago. Those of us who came to adulthood during a world war fought to resist a brutal dictator wonder why we continue to support and supply murderous regimes in places like El Salvador and Peru.

Back home, we do care. And we are furious that Mr. Michel and so many of his colleagues in Washington apparently do not.

SIDNEY GLASSER.

NEW YORK, August 12, 1991.

[From Playboy, Oct. 1988]

AN ELECTION HELD HOSTAGE

(By Abbie Hoffman and Jonathan Silvers)

"The obscure we see eventually. The completely apparent takes a little longer."—Edward R. Murrow

On January 20, 1981, minutes into his first term, President Ronald Reagan performed a diplomat miracle.

For more than a year, a revolutionary government in Iran had held 52 Americans hostage in retaliation for America's support of the deposed shah. To the world's dismay, President Jimmy Carter was unable to secure their release. Traditional methods of persuasion—an admixture of pleas, threats, economic and military sanctions—proved useless against a fanatic regime that preferred martyrdom to capitulation. Armed with little but epithets and clubs, an Iranian mob had crippled the Carter Presidency and brought America to its knees.

And there the nation remained until Reagan placed his hand on a Bible and took a solemn oath. Half a world away, the fanatics who had once chanted "Death to the Great Satan" instantly scrambled to appease the country's new leader. Barely two hours after the Inauguration, "with thanks to Almighty God," Reagan made the announcement that America had been longing to hear for 444 days: "Some 30 minutes ago, the planes bearing out prisoners left Iranian airspace and they are now free of Iran."

In the jubilation of homecoming, no one asked why the hostages had been released at that particular moment. No explanation seemed necessary. Throughout his Presidential campaign, Reagan had slammed the Iranians as "murderous barbarians" and implied that, if elected, there were ways of handling such people. "We did not wish to inherit the hostage crisis," explains Richard Allen, a Reagan campaign strategist and his first National Security Advisor. "We wanted to make it clear to the Iranians that this was the one issue Reagan was unstable about." The Reagan transition team circulated menacing rumors that military reprisals and Normandylike invasions were "under consideration." (According to Allen, its propaganda was not without humor: "What's flat and glows in the dark?" "Tehran, five minutes after Reagan's Inauguration.")

It would be five years before Reagan's antiterrorist posturing came under scrutiny. In November 1986, a Lebanese newsweekly reported that National Security Advisor Robert McFarlane had secretly negotiated an arms-for-hostages deal with the Iranian Revolutionary Council in an attempt to win release of captives taken during Reagan's first term. As the scandal unfolded, it was discovered that this was not the rash enterprise of a small group of National Security Council adventurers but a rigorously conceived Presidential initiative.

The White House quickly shifted into damage-control mode. Attorney General Edwin Meese promised a "complete and impartial investigation"—just after the most incriminating documents were shredded. Through a series of discreet tactical maneuvers, the Administration managed to confine all official investigations of Iran/Contra activities to 1985 and 1986, the period in which the White House said the initiative had begun. The

Government panels were deterred from exploring the conspiracy's origins.

The White House tried desperately to conceal earlier activities for a simple reason: The Reagan Administration had approved and encouraged the sale of U.S. arms to Iran not only in 1985 but four years earlier, in 1981. Ammunition, replacement parts, even sophisticated American weapons systems began to flow into Tehran—via Israel—with-in two months of Reagan's 1981 Inauguration.

Moreover, a commanding body of evidence and testimony has recently surfaced that suggests that members of the 1980 Reagan-Bush campaign secretly pursued openings to Iran as early as September 1980, two months before the election. On at least two occasions, emissaries of Ayatollah Khomeini met with Reagan advisors. The Iranians allegedly offered to detain the American hostages past Election Day, humiliating Carter and ensuring a Reagan victory. Given the speed with which the Reagan Administration approved arms sales to Khomeini, the testimony of several Iranian dignitaries and the fact that a similar arms-for-hostages pact was made later, there is every reason to suspect the Reagan campaign capable of cutting a deal.

Former President Jimmy Carter has voiced doubts about his opponent's integrity in that race. In response to our question regarding his knowledge of these allegations, Carter wrote the following on February 24, 1988:

We have had reports since late summer 1980 about Reagan campaign officials dealing with Iranians concerning delayed release of the American hostages. I chose to ignore the reports. Later, as you know, former Iranian president Bani-Sadr has given several interviews stating that such an agreement was made involving Bud McFarlane, George Bush and perhaps Bill Casey. By this time, the elections were over and the results could not be changed. I have never tried to obtain any evidence about these allegations but have trusted that investigations and historical records would someday let the truth be known.

This letter prompted an investigation, the results of which follow.

THE CAMPAIGN

In retrospect, it seems surprising that President Carter was able to mount a serious bid for re-election in 1980. The United States was suffering from the rapid erosion of its industrial base, an Arab oil embargo and post-Vietnam war trauma. Added to double-digit inflation and rising unemployment, the Iran hostage crisis came to symbolize the country's general deterioration. Whether Carter was a victim of those circumstances or their chief architect is debatable, but much of the public regarded him as a poor manager of the complex American system. An internal campaign memo written by Carter's chief pollster, Patrick Caddell, put it succinctly: "By and large, the American people do not like Jimmy Carter. Indeed, a large segment could be said to loathe the President."

Loathe him they might, but pit him against the Republican nominee, Ronald Reagan, and lo! Carter suddenly had a decent shot at re-election. Whatever faults Carter had, Reagan matched them one for one. Reagan's appeal was limited; he was seen as hawkish, misinformed, ultraconservative, too Hollywood.

At its core, the election was a race to select the lesser of two evils. Voters couldn't decide whether they wanted helplessness or extreme conservatism. Time-magazine preference polls consistently showed the candidates separated at most by two percentage

points. In mid-October, Time gave Carter a slight edge, 42 percent to Reagan's 41 percent.

William Casey, Reagan's campaign manager, found these statistics unnerving. Above all else, he feared that in the last weeks before the election, Carter would pull an "October Surprise"; that is, bring the hostages home, win back the public's confidence—and send Reagan back to the ranch. Richard Wirthlin, Reagan's chief pollster, estimated that a pre-election hostage release could earn Carter five to ten percent of the undecided vote, more than enough to ensure his re-election. Without a hostage release, however, Wirthlin figured that a Reagan win was certain.

Casey had not come so far to be denied victory at the 11th hour. At his insistence, the Reagan-Bush campaign began to defend against the possibility of a pre-election hostage release.

CAMPAIGN COUNTERINTELLIGENCE

In early September 1980, Casey and Meese put together an intelligence operation called the October Surprise group, consisting of ten strategists dedicated to monitoring inner White House maneuvers. Its ranks included Richard Allen, Dr. Fred Ikle, later Undersecretary of Defense, and John Lehman, later Secretary of the Navy. *The New York Times* called their activities "war-gaming," "the guessing of possible Carter moves and the formulation of countermoves." But they soon went beyond guesswork. Like any intelligence operation worth its cloaks and daggers, the group went after information at its source—the White House and environs.

And they got it. In Cassopolis, Indiana, on October 28, 1980, then-Congressman David Stockman boasted that he had used a "pilfered copy" of Carter's briefing book to coach Reagan for a televised debate. "Apparently, the Reagan camp's pilfered goods were correct," reported *The Elkhart Truth*. "Several times, both candidates said almost word for word what Stockman predicted."

It wasn't until three years later, after the debate incident was recounted by Laurence I. Barrett in *Gambling with History* and Jody Powell suggested that a serious breach of ethics may have occurred, that Congress launched a full-scale inquiry into the affair, dubbed Debategate. The Subcommittee on Human Resources, chaired by Democratic Representative Don Albosta of Michigan, spent nearly a year reviewing internal Reagan-campaign operations. Its definitive report, "Unauthorized Transfers of Non-public Information During the 1980 Presidential Election," was released in May 1984. It shocked the few who read its 2400 pages. What had begun as a routine inquiry into the alleged theft of a debate briefing book exploded into a damning indictment of a campaign staff that employed unethical—if not illegal—tactics whenever convenient. The subcommittee didn't mince words: "As the documents and witness statements show, Reagan-Bush campaign officials both sought and acquired nonpublic Government and Carter-Mondale information and materials."

The subcommittee's greatest wrath was reserved for the October Surprise group. William Casey had constructed a vast surveillance network that collected internal White House data. Richard Allen estimates that perhaps 120 foreign-policy and national-security consultants were affiliated with the Reagan campaign; many had military or intelligence backgrounds. (In comparison, the Government's National Security Council employs only 65 foreign-policy professionals.)

U.S. district court judge Harold Greene, reviewing a motion for a Special Prosecutor,

had only criticism for "an information-gathering apparatus employed by a Presidential campaign that uses former agents of the FBI and the CIA." The Justice Department, run by Reagan appointees, saw no need for a Special Prosecutor.

The complex October Surprise apparatus was admirably staffed and structured. At Meese's urging, Admiral Robert Garrick, a retired naval-reserve officer, created a network of loyalists—retired, reserve and active-duty Servicemen—at military bases around the country. They were instructed to report any aircraft movements that might be related to the hostage situation. It proved effective. For example, Brigadier General Johnny Grant, of the California National Guard, apparently telephoned Admiral Garrick with news of aircraft maneuvers near "where the spare parts are," implying that the Carter Administration was preparing to exchange military aid for the hostages.

Allen, Iklé and Lehman monitored White House policy decisions for the camp. "We had two firm and enduring rules," Allen said recently. "Do not interfere with the hostage situation. Deal with no classified information."

Allen apparently had difficulty enforcing those guidelines. The Albosta subcommittee discovered that by October 1980, senior Reagan advisors had informations at the CIA, the Defense Intelligence Agency (DIA), the NSC, even inside the White House Situation Room. Moreover, those informants had security clearances ranging from "Confidential" to "Eyes Only." Several NSC staff members later testified that they had "close friendships" with Reagan aides.

Those friendships often resulted in the sharing of confidential documents. Four-star generals gave the Reagan camp details of the Stealth-bomber project. Secretary of State Ed Muskie's agenda for SALT II talks landed on Meese's desk. Allen received staff reports intended solely for National Security Advisory Zbigniew Brzezinski. "These documents were sometimes extraordinarily sensitive material of the highest nature," Brzezinski told *The Washington Post*.

The Reagan team was not above paying for information. The informant who allegedly delivered Carter's debate papers to Casey was paid \$2860, ostensibly for research papers that he apparently never prepared.

While those bits and pieces were undoubtedly useful to the Reagan campaign, its primary concern was getting data on the hostages. Here, too, the quality and quantity of its espionage was exceptional. Between official State Department briefings, leaks and their purchases, Reagan advisors may have known as much about the crisis as the President. "Top Secret—Eyes Only" and "Secret/Sensitive" documents from the U.S. embassy in Tehran were found in Ronald Reagan's personal campaign file. Reagan said he didn't know how they got there. Angelo Codevilla, a Senate Intelligence Committee staff member, probably passed to Reagan headquarters details on the hostages' whereabouts in Tehran. One entry in Allen's telephone log reads, "13 October 1980. 1151 Angelo Codevilla—938-9702. DIA—Hostages—all back in compound last week. Admin. embargoed intelligence. Confirmed." Allen could not offer an explanation, though the message—written in his handwriting—is hardly cryptic. Another Allen memo dated October 10, 1980 ("F.C.I.—Partial release of hostages for parts"), suggests that the Reagan campaign knew the White House was evaluating an arms swap with the Iranians. (F.C.I. are the initials of Fred C. Iklé.)

Many of Reagan's best moles were motivated less by devotion to the Republicans than by animus toward Carter. That was especially true of those in the intelligence agencies. Shortly after the Shah was deposed, Carter chewed out the CIA for misinterpreting the unrest in Iran. He chastised the Director of Central Intelligence, Admiral Stansfield Turner, and reorganized or fired much of the Middle East division. Not surprisingly, relations between the White House and the CIA grew increasingly hostile. "There was no doubt that the CIA was more Republican and didn't like the Democrats," says Admiral Turner. "And I'm certain that many hoped a Republican would return to the White House."

CIA operations virtually collapsed in Carter's last year. "The Carter Administration had made a serious mistake," noted Charlie Beckwith, the colonel in charge of the Desert One rescue team. "A lot of the old whores—guys with lots of street sense and experience—left the agency."

Another CIA asset volunteers. "Stan Turner fired the best CIA operatives over the hostage crisis. The fires agreed among themselves that they would remain in touch with one another and with their contacts and continue to operate more or less as independents."

Casey courted those malcontents with considerable success. For example, General Richard Ellis, then head of the Strategic Air Command, put his services at Reagan's disposal. One memo to Meese noted, "Due to his rank and position, [General Ellis] cannot formally institute a meeting, but if a meeting were requested by R.R., he would be happy to sit down with him. . . . [The general] wants to blow Jimmy Carter out of the water." Reagan later appointed Ellis to the U.S.-Soviet Standing Consultative Commission.

Reagan's selection of George Bush as running mate also proved serendipitous. Bush had served as Gerald Ford's Director of Central Intelligence, an appointment he once called "the best job in Washington." Although his tenure lasted less than a year, he maintained informal ties to the agency after he left and staffed his ill-fated Presidential campaign with former CIA officials. When the Bush and Reagan campaigns merged in July 1980, their intelligence-gathering abilities increased substantially. Many CIA veterans close to Bush, notably former CIA Director of Security Robert Gambino, assisted Casey and Allen in campaign activities.

"Bush certainly had the ability—and the connections—to get the campaign into the intelligence communities," says Turner.

Prescott Bush, the Vice-Presidential candidate's brother, courted a consultant to the U.S. Iran Hostage Task Force named Herbert Cohen. In a September 2, 1980, letter to James Baker (George Bush's campaign manager and now Secretary of the Treasury), Prescott Bush said he expected that Cohen would provide the campaign with "some hot information on the hostages". Cohen eventually sent Casey four confidential NSC reports.

By the fall of 1980, the Carter White House was riddled with moles, spies and informers. But preoccupied by the continuing crises and the campaign, the President's advisors remained ignorant of the dirty tricks being played by the Reagan-Bush team. "We were aware that we had made enemies," says Jody Powell, "but we didn't think they were inside, chipping away at our foundation". Given the sensitivity of the stolen documents and the impunity with which the moles acted, the President's defenses, like

those at the embassy in Tehran, were pitifully inadequate.

BACK CHANNELS

In desperation over the Iranians' refusal to deal with the United States on the diplomatic level, the Carter White House looked to unofficial channels as a means to resolve the crisis.

In February 1980, Dr. Cyrus Hashemi, a former Iranian CIA operative turned arms dealer, made the Administration an offer. Claiming to be a cousin of Hashemi Rafsanjani, one of Khomeini's lieutenants and later speaker of the Majles (Iran's parliament), Dr. Hashemi said he had contacted Khomeini's advisors and found them willing to revive negotiations. If the President wished, he would gladly open back channels. There was, of course, a catch: The Iranians would free the prisoners only in exchange for U.S. offensive weapons.

A word about arms: After the 1953 CIA-sponsored coup that installed Reza Pahlavi as shah, Iran depended on the U.S. for nearly all its military hardware and training. In 1978, shortly before he was deposed, the shah paid U.S. defense contractors more than \$300,000,000 for arms and spare parts. After the Islamic revolution, however, the White House embargoed all military shipments to Iran, and the shah's purchases were never delivered. Without U.S. ammunition and spare parts, the ayatollah's American-equipped military was approaching paralysis.

When Hashemi suggested that Iran might be willing to bargain, there was reason to think the proposal legitimate. "We felt an outsider would have a better chance of getting to Khomeini," says a State Department official. "We were quite willing to consider anything. A weapons package didn't seem unreasonable especially since it had been paid for." Dr. Hashemi was referred to State Department officials, but after several weeks of discussion, his services were declined.

The fact that a covert arms trade was even seriously considered by the Administration sent dangerous signals to the munitions underworld. "Iranian arms merchants were coming out of the woodwork," says Gary Sick, principal White House aide for Iran. "Each one insisted that he alone had a direct line to Khomeini. They were mostly opportunists, some really disreputable characters, out for honor and profit."

Houshang Lavi probably came closest to circumventing Presidential authority. A naturalized American born in Iran, Lavi acquired an intimate knowledge of Iranian internal politics by brokering various arms deals (he arranged the sale of F-14 aircraft to the shah in the mid-Seventies). In December 1978, he participated in a covert CIA mission that removed high-tech Phoenix missiles from Tehran when the shah's days were numbered.

Lavi was infuriated by the hostages' prolonged captivity and was certain that it could have been avoided. After the disastrous Eagle Claw helicopter rescue attempt in April 1980, it was obvious to him that Carter would never appease the ayatollah, so he took the initiative. As Lavi put it at our meeting on Long Island, "I attempted to free the hostages."

In the spring of 1980, Lavi approached Mitchell Rogovin, a lawyer with the John Anderson presidential campaign, with an unusual offer. "Lavi said Iranian president Bani-Sadr had authorized him to pursue hostage negotiations," says Rogovin, Lavi sketched out an arms-for-hostages plan similar to the one Hashemi had offered the Department of State eight months earlier. Lavi

made one demand: If they succeeded, "credit must not go to Carter."

"He was adamant about that," says Rogovin. "He wanted it known that Carter's abilities were severely limited."

Lavi's offer scared the Anderson campaign. "To involve the candidate in negotiations regarding the hostages . . . was too dicey to contemplate," wrote, Alton Frye, Anderson's director of policy planning. But rather than risk losing an opening to Tehran, the Anderson campaign referred Lavi to the State Department.

The White House had no doubt that Lavi could deliver F-14 parts to Tehran; whether he could get the hostages out was another story. "An arms swap, legitimate as it may have been, was tantamount to paying ransom to terrorists," says a Carter aide. "Too risky, too unreliable, Carter had some real problems with it." In the end, the White House ignored all outside offers and settled in for the long haul.

SABOTAGED NEGOTIATIONS

In September 1980, Carter's patience was rewarded. Sadegh Tabatabai, Khomeini's influential relative, contacted Washington with an urgent proposition. Iran would free the hostages if the U.S. released Iran's financial assets, refrained from intervention in Iranian affairs, and returned the shah's property, including the military supplies that had been paid for.

After months of silence, Iran was understandably eager to resume talks. The Iran-Iraq war, which began in late September 1980, had inflicted heavy casualties on the Iranian army. The black market could provide only a fraction of the supplies Iran needed. Khomeini grudgingly acknowledged his dependence on Satan America.

The White House recognized that it would have to deliver some arms and spare parts to Iran as part of an over-all settlement. "We suggested [to the Iranians] that we would make \$150,000,000 worth of military equipment available to them after the hostages were released," states White House aide Gary Sick. "In fact, we held a lot more, as much as \$300,000,000. But there were many offensive weapons and classified materials we didn't want to get back to Iran." Carter reluctantly approved an arms package that omitted all offensive weapons and lethal aid.

Reagan advisors panicked when they learned that Carter was close to a deal. In an October 15th memo marked "Sensitive and Confidential," Allen informed Reagan, Meese and Casey that an "unimpeachable source" had warned him of an impending hostage settlement: "The last week of October is the likely time for the hostages to be released. . . . This could come at any moment, as a bolt out of the blue."

(Allen says that his source was reporter John Wallach, who Allen believes learned confidential details of the negotiations from Secretary of State Edmund Muskie.)

Reagan loyalists then made several attempts at undermining Carter. On October 15, 1980, WLS-TV, the Chicago ABC affiliate, announced that the President was about to approve an arms-for-hostages exchange and that five Navy planes loaded with offensive weapons were prepared for a flight to Tehran to consummate the deal. Not a word was true. Larry Moore, who broke the story, allegedly got his misinformation from a highly placed member of the U.S. Intelligence community who was linked to the Reagan campaign. Soon after, columnist George Will, a Reagan booster, remarked that a fleet of transports loaded with arms was bound for Khomeini's army. On October 17, The Wash-

ington Post got closer to the truth when it reported that a spares-for-hostages deal was an element of the hostage settlement.

The public outcry over those planted stories was enormous. Carter was accused of dishonoring America, of caving in to terrorist blackmail. As if that weren't enough, the Iran negotiations began to founder. Two weeks before the election, Tabatabai suddenly became inscrutable. He delayed, changed terms at random and, mysteriously, abandoned demands for arms. He also reneged on a promise to have the hostages home by Election Day.

There is no doubt that in the last weeks of the campaign, Reagan-Bush campaign members successfully undermined Carter's diplomatic efforts. Their espionage, for the most part, was confined to Washington power circles. But they also attempted to deal directly with the Iranians.

In September 1980, Allen got a call from Robert McFarlane, then an authority on Iran for the Senate Armed Services Committee. McFarlane told Allen that he knew a representative of the Iranian government who might be useful. "McFarlane wanted us to meet him; he was emphatic," recalls Allen. "And against my better judgment, I agreed." Allen asked another campaign advisor, Laurence Silberman, to accompany him.

The four met in the lobby of L'Enfant Plaza Hotel in Washington. The Iranian envoy informed them that he was on good terms with Khomeini's inner circle. "Then he spun a web about how he could get the hostages released directly to our campaign before the election," recalls Silberman. "And at that point, we cut him off. Neither Allen nor I had any interest in his proposal. I told him flat-out that we have only one President at a time and that all deals regarding the hostages would have to go through official channels." After 20 minutes, Allen and Silberman thanked the Iranian envoy for his concern and left. End of story. If you take them at their word, everyone behaved with what Silberman called "scrupulous propriety." Maybe. In the interest of national security, the Reagan team certainly could have reported this overture to the White House, as the Anderson campaign had honorably done with Houshang Lavi.

Among other things, the paucity of details makes the account disturbing. The time and date of the conference, even the envoy's identity, are all unknown. Allen remembers him as an oddball, a "flake," an Iranian living in Egypt; Silberman thinks he might have been North African. (McFarlane has yet to return our calls.) But considering the enormity of the envoy's proposal, and Allen's own well-documented obsession with Iranian affairs, that particular blackout seems too convenient.

Three highly respected professionals, whose livelihoods depend on recalling names, faces and events, unaccountably developed amnesia. It's unlikely that they would meet an envoy without knowing beforehand his status, reliability and objective. McFarlane would presumably have used every facility at his disposal to make sure the contact was legitimate. If he had had any reservations, it's doubtful that he would have been so insistent. And if McFarlane's judgment was so poor—if the envoy was a "flake"—it's even more doubtful that he would have been welcomed into the next Administration.

But while Allen, McFarlane and Silberman were claiming to reject the deal in Washington, their colleagues were scanning the globe for similar openings to Iran. P.L.O. representative Bassam Abu Sharif, Yasir Ara-

fat's chief spokesman, told journalist Morgan Strong that a Reagan backer had approached P.L.O. headquarters. "During the first campaign, the Reagan people contacted me," claims Abu Sharif. "One of Reagan's closest friends and a major financial contributor to the campaign. . . . He kept referring to him as Ronnie. . . . He said he wanted the P.L.O. to use its influence to delay the release of the American hostages from the embassy in Tehran until after the election. . . . They asked that I contact the chairman [Arafat] and make the request. . . . We were told that if the hostages were held, the P.L.O. would be given recognition as the legitimate representative of the Palestinian peoples and the White House door would be open for us."

The P.L.O. was a reasonable choice to serve as hostage broker. Two weeks after the embassy take-over, Arafat negotiated the release of 13 Americans. If Arafat could persuade Khomeini to release some hostages, he might just as easily persuade him to hold the rest a little longer.

The P.L.O. has so far refused to document those charges. "We have the proof if it is denied," says Abu Sharif. "And they said they would deny it if it ever became public. I hope it does, because I would like to drop the bombshell on them." Still, we have no corroborating details to confirm the account.

It's clear, though, that Reagan advisors took foolish risks. Barbara Honegger, a former policy analyst in the Reagan White House, is certain that at least one of their initiatives paid off. In late October 1980, while she was working at the Reagan campaign headquarters in Arlington, Virginia, an excited staff member boasted. "We don't have to worry about an October Surprise. Dick cut a deal." Her colleague, she suggests, was referring to Richard Allen, and the deal involved the American hostages in Tehran.

THE TRAGEDY OF BANI-SADR

Among the casualties of the hostage crisis were the two presidents of the adversary countries. Jimmy Carter and Abolhassan Bani-Sadr. Although separated by vast political and cultural differences, their personal philosophies were surprisingly similar. Like Carter, Bani-Sadr advocated human rights, the democratic values of the Islamic revolution and stability in the Middle East. Both worked feverishly to end the hostage standoff. And both were ousted by the same despot.

Carter limped home to Plains. Bani-Sadr, too often on the losing side of a three-year power struggle that saw many of his colleagues executed, fled Iran in the night. After six weeks in hiding, he surfaced in July 1981, when France offered political asylum on the condition that he give up politics. He has spent the past seven years quietly brooding over the political situation in his country.

When the Iran/Contra scandal broke in November 1986, Bani-Sadr began making startling accusations. The Reagan arms-for-hostages scenario, he claimed, was not a recent inspiration: Reagan had made an arms deal with Iran months before he was first elected. From the wilderness of exile, his charges rarely made it to America. And even when they did, he was portrayed as a bad loser and his charges were dismissed.

Then, in the fall of 1987, two things happened: Allen admitted to having met an Iranian envoy on behalf of the Reagan-Bush camp, and Israel was discovered to have sold Iran American-made military supplies in 1981. Bani-Sadr's claims took on disturbing credibility.

In April 1988, we were invited to France to interview the exiled president. When we arrived, the French government was embroiled in a scandal eerily similar to the one we were investigating. Prime Minister Jacques Chirac had secretly paid Iranian terrorist groups close to \$30,000,000 in ransom for three hostages, purchasing an "April Surprise" to advance his battle against President Francois Mitterand in the upcoming election. The French electorate was not swayed.

Bani-Sadr first learned that the ayatollah was considering a secret deal with the Reagan-Bush campaign in late September 1980. Hashemi Rafsanjani, one of Khomeini's key advisors, was sending a secret emissary to the United States to assess the political situation and try to arrange a more lucrative settlement than the one the White House was offering him. It was that emissary, Bani-Sadr claims, who contacted McFarlane and later met Allen and Silberman in Washington.

Rather than reject the envoy, as Allen and Silberman claim, Bani-Sadr insists that Reagan's campaign advisors embraced his basic plan. Before returning to Iran, the envoy had other meetings with senior Reagan advisors. "They agreed in principle that the hostages would be liberated after the election," says Bani-Sadr, "and that, if elected, Reagan would provide significantly more arms than Carter was offering."

"For Khomeini, working with Reagan was preferable for several reasons," he says. "Reagan represented the working capital of the United States—he had close ties to the banks, the financial community—so trade would be easier. With Reagan President, Khomeini could also tell his people that he had destroyed two enemies of the revolution: the shah and the man who harbored the shah, Jimmy Carter."

Bani-Sadr maintains that with the election drawing near, the Reagan-Bush team was eager to finalize a deal. At some point during the last two weeks of October, with the election days away, a final meeting was held in Paris, at the Hotel Raphael. "There were three factions present," he claims. "Representatives of the Reagan campaign, representatives of the ayatollah—Mohammed Beheshti [head of the radical group Hezbollah] and Rafsanjani—and independent arms merchants. I have confirmed several of the names: Dr. Cyrus Hashemi, Manucher Ghorbanifar and Albert Hakim."

Representing the Reagan-Bush campaign, says Bani-Sadr, was none other than George Bush.

That last detail struck us as implausible. It would have been extremely difficult for a Vice-Presidential candidate to sneak off to Paris in the last weeks of a frenetic campaign for a clandestine meeting. Bani-Sadr appreciated our skepticism. He insisted, however, that his intelligence was accurate and that by late October, negotiations had reached a serious stage that required a commitment from the highest level of the Reagan-Bush campaign.

(At our request, Kirstin Taylor, the Vice-President's Deputy Press Secretary, reconstructed Bush's schedule for October 1980. With the exception of a few rest days and Sundays there are no extended gaps in his itinerary. Theoretically, however, a round-trip journey to Paris could have been accomplished within a day's time.)

In exchange for keeping the hostages until Inauguration Day, the Americans pledged that Iran would receive U.S. military supplies. Representatives of the Reagan campaign assured the Iranians that "third par-

ties-independent arms merchants, friendly foreign governments—would handle delivery of specific parts and weapons," says Bani-Sadr.

Bani-Sadr concedes that much of his intelligence comes second-hand. "As president, I knew that a deal was under consideration, but I was unaware that it had been consummated until after the arms arrived." He didn't learn more details until a year after he was exiled. Friends and loyalists within the Iranian military began sending him photocopies of secret Islamic Revolutionary Party documents, several of which are said to describe the hostage deal. Throughout our interview, he consulted official-looking papers written in Farsi. "These documents are extremely sensitive," he says. "I don't want them circulated. It would seriously endanger my sources. If a Congressional investigator came here, I would take the risk and give him copies."

Mansur Farhang, a former UN ambassador from Iran, also believes that some arrangement was made with the Reagan camp. "Khomeini did not make distinctions among American politicians," says Farhang. "He regarded them all as dangerous. But in October [1980], I noticed an abrupt change in his attitude. He became accommodating, very relaxed about the prospect of a Reagan Presidency."

Farhang regards Bani-Sadr's intelligence as sound but fragmentary. "Bani-Sadr puts the bits and pieces together himself and constructs something that he regards as the truth," he cautions. Still, many elements of Bani-Sadr's story have been corroborated.

Mansur Rafizadeh, a former SAVAK chief and CIA asset, insists that a Paris meeting took place in mid-October, as Bani-Sadr described. Representing the Reagan-Bush campaign were Donald Gregg, a former CIA official (later Bush's National Security Advisor), and an authority on Iran who served as a translator. Rafizadeh has also stated that elements within the CIA endorsed Reagan-Bush covert efforts: "Some CIA agents [in Iran] were briefed by agency officers to persuade Khomeini not to release his prisoners until Reagan was sworn in. . . . The CIA now sentenced the American hostages to 76 more days of imprisonment." (Seventy-six days is the time between the election and the inauguration.)

Additional evidence lends credence to Bani-Sadr's account. When Tabatabai resumed talks with the State Department in September 1980, military equipment headed his list of demands. But, unaccountably, on October 22, Iran dropped all references to these supplies. "This occurred because Iran had been guaranteed another source of U.S. arms," explains an Iranian journalist.

Whether or not an agreement was reached between Khomeini and the Reagan-Bush campaign, the fact remains that the ayatollah achieved all of his objectives by the time the hostages were released. He humiliated the U.S., got rid of Carter and "the criminal shah," secured the transfer of four billion dollars in assets to Iran and ensured a steady flow of U.S. arms to his military. The faithful might praise Allah, but the glory was all Khomeini's.

ISRAEL AND ARMS

On July 18, 1981, a cargo plane returning to Tel Aviv from Tehran strayed into Soviet airspace and was shot down by a MiG-25 along the Soviet-Turkish border. According to the London Sunday Times, the plane was chartered by a Swiss arms broker, who intended to send 360 tons of military hardware—worth \$30,000,000—to the Iranian mili-

tary. Three shipments of American-made spare parts for M-48 tanks (which formed the bulk of Iran's land forces) had made it through before the cargo plane was shot down. The Israeli foreign ministry denied any involvement, but several officials quietly conceded that their agents had sold Iran parts and arms shortly after Reagan took office.

As early as February 1981, Secretary of State Alexander Haig was briefed on Israeli arms sales to Iran. In November, Defense Minister Ariel Sharon asked Haig to approve the sale of F-14 parts to Tehran. While the proposal was in direct opposition to publicized Administration objectives, Sharon pitched it as a way of gaining favor with Iranian "moderates." According to The Washington Post, Haig was ambivalent but gave his tacit consent, with the approval of top Administration officials, notably Robert McFarlane.

Israeli ambassador Moshe Arens later told The Boston Globe that Iranian arms sales had been discussed and approved at "almost the highest levels" of U.S. Government in spring 1981. In fact, Reagan's Senior Interdepartmental Group agreed in July 1981 that the U.S. should tacitly encourage third-party arms sales to Iran as a way of "advancing U.S. interests in the Middle East." The initiative was such a significant reversal of U.S. policy that it's unlikely that Haig would have given his consent without the President's knowledge and approval. Haig refuses to comment.

In November 1986, the Administration finally allowed that the Israelis had delivered U.S. military supplies to Iran in the early Eighties. The State Department downplayed the sales, claiming that the amount of arms Iran received was trivial, that only \$10,000,000 or \$15,000,000 worth of nonlethal aid had reached Iran. That figure was hotly disputed. The New York Times estimated that before 1983, Iran received 2.8 billion dollars in supplies from nine countries, including the U.S. A West German newspaper placed the figure closer to \$500,000,000. Bani-Sadr said that his administration alone received \$50,000,000 worth of parts. Houshang Lavi believes Khomeini got at least \$500,000,000 in military supplies.

Lavi is in a position to know. In 1981, he and Israeli arms dealer Yacobi Nimrodi reportedly sold HAWK missiles and guidance systems to Iran. In April and October 1981, Western Dynamics International, a Long Island company run by Lavi's brothers, contracted to sell the Iranian air force \$16,000,000 worth of bomb fuses and F-14 parts. Admiral Bobby Ray Inman, William Casey's Deputy Director of Central Intelligence, said that the CIA knew in 1981 that Israel and private arms dealers were making sizable deliveries to Iran. The Reagan White House raised no objections.

Eighteen months after Reagan took office, Iran had received virtually all the spare parts and weapons that Carter had refused to include in his hostage accord.

THE TOWER OMISSION

By the spring of 1987, no fewer than five Government panels (one by the President's special review board, one by the Senate, two by Congress, one by Special Prosecutor Lawrence Walsh) were investigating charges that the Reagan Administration had willfully violated U.S. law—and its own policy—by secretly arming Iranians and funding the Contras.

As thorough as those investigations were, two glaring omissions are now coming to light: the CIA's drug connection to the

Contras and the pre-1985 arms deals with Iran. Little consideration was given to the possibility that the Iran/Contra initiative might have had its genesis in either Reagan's 1980 Presidential campaign or in the opening months of his first term. It is difficult to understand why. The same names and many of the same methods keep turning up in both the Iran/Contra and the Debategate inquiries.

Many of the investigators have claimed that the issue was beyond their jurisdiction. The Tower commission, for example, was an examination of NSC operations, not of Reagan campaign ethics. "We had a very simple mandate," says Senator John Tower, who chaired the President's special review board, "and that was to focus on the origins of the Iran/Contra initiative. It was an immense task, and we had 88 days in which to evaluate voluminous documents and interview the participants. We also had limited powers. We found no reason to expand our inquiry." Both Senator Tower and Brent Scowcroft were former bosses of McFarlane, and Edmund Muskie was reported to have leaked White House information while he was Carter's Secretary of State. Those three men were the Tower commission.

While the investigators were indifferent to Reagan's pre-1985 conduct, a handful of journalists pursued the charges: notably, Leslie Cockburn of CBS News, Alfonso Chardy of the Miami Herald and Christopher Hitchens of The Nation. Not until Flora Lewis, a columnist for The New York Times, published a piece in August 1987 that essentially promoted Bani-Sadr's allegations, did Washington take notice.

Senate Majority Leader Robert Byrd weighed the evidence and became the first politician to link 1980 Reagan campaign practices with Irangate. He made an impassioned plea for truth on the Senate floor on August 7, 1987: "The secret policy of arming the ayatollah may have begun early in the Eighties . . . this bribery-and-ransom strategy was on the minds of the inner circle of Presidential advisors even before his Administration took office. What other explanation is there for the allegation . . . of a meeting between Mr. Allen, the first security advisor to the President, and a campaign official, who apparently met with Iranian officials and who may have been linked to Israeli shipments of weapons to the ayatollah in the early Eighties. This raises disturbing questions about the longevity of this ill-conceived arms-for-hostages strategy. It needs further investigation, in my judgment."

Representative John Conyers, Jr., chairman of the Criminal Justice Subcommittee, is beginning that investigation. "It's going to be difficult," says Frank Askin, Conyers' special counsel. "Some of the people implicated are in protracted legal battles. Some have reason not to talk. I don't expect them to be very helpful." Conyers must soon decide whether the evidence warrants—and the public can tolerate—yet another Congressional investigation.

The Debategate and Iran/Contra affairs have already proved that members of the Reagan Administration engaged in deceit on an impressive scale. Whether they committed greater crimes has yet to be tested under oath. One thing is clear: The story is significantly more complex than the public has been led to believe. There are too many secret deals, too many memory lapses and shredded documents for the file to be closed with any conviction.

The Wall Street Journal, Friday, June 10, 1988: "October Surprise?"

Speculation is raised about an Iranian hostage ploy. A National Security Council staff memo warns that Iran may try to use the nine American hostages in Lebanon as political pawns during the Bush-Dukakis race. The memo, written by Middle East specialist Robert Oakley, foresees possible offers to release some hostages before the November elections. The price, some officials think: a promise that Bush would soften the U.S. anti-Iran stance. An Iranian official recently tried to arrange a clandestine meeting with a Bush aide, whose colleagues told him he would be "crazy" to meet secretly with Iran, U.S. officials say. The speculation is partly aimed at deterring any temptation to make a deal with Iran.

[Esquire Magazine]

OCTOBER SURPRISE

(By Craig Unger)

THE FALL OF CARTER

At 4:00 a.m. on November 2, 1980, Gary Sick, a staffer on President Carter's National Security Council, was jangled awake by a phone call. Despite the unseemly hour, he wasn't disturbed: This was the price one paid for proximity to power. After all, he had left behind a promising military career precisely so he could advise the kind of men who considered it their due to drag him out of bed in the dark of early morning. He dressed quickly and drove through the pre-dawn streets of Washington, first to Foggy Bottom, the location of the State Department, where he had a quick meeting with a dozen weary officials. Then it was on to the White House, where candles flickered in support of the fifty-two hostages who, as of that morning had been imprisoned in Iran for 364 days. The word had come down: The Majlis, the Iranian parliament, had at last taken action.

By the time Sick arrived at the South Lawn, the presidential chopper was landing, Jimmy Carter hurried down the metal steps to be greeted immediately by National Security Adviser Zbigniew Brzezinski, who handed him the latest communiqué from Iran. The men went inside and settled into the cabinet room. It may have been 3:00 p.m. Tehran time, but in Washington, judging from the grizzled faces of the assembled, it was an ugly hour of the morning. The air was edgy with expectations that had been thwarted too often. Those who served on the Iran watch had been through this far too many times since the previous November.

There was a lot riding on the contents of that message. For one thing, the release of the hostages. For another, Carter's second term as President. Between the hostage debacle and a tattered economy, a Reagan landslide had long seemed a certainty. But recently Carter had somehow drawn even with the Republican nominee, and if the hostages came home, a flash of patriotic celebration might well boost Carter over the top.

By the time he sat down at the oval table, Carter had read the decision of the Iranian parliament. It was quiet in the room. For all the diplomatic circumlocutions, for all the parliamentary filigree, the communication could be boiled down to two words: No deal. The Majlis's willingness to even negotiate with the Great Satan was a tremendous advance, but the terms were still unacceptable. "The best we can do for the next few days is to indicate our willingness to pursue negotiations," Carter said. It was the resigned response of a man who had almost no options left.

Carter's wife, Rosalynn, came into the room. The President went over to the win-

dow with her, and they talked softly and held hands. Then they kissed. She stepped out of the French door into the Rose Garden. Soon a helicopter ferried her off to the next campaign stop. The election was in two days. But for all practical purposes, it was over. Gary Sick put in a full day's work and then slumped home to bed.

SHADOWY FIGURES

On a warm July night eleven years later, Gary Sick, the man who White House press secretary Marlin Fitzwater now calls the Kitty Kelley of foreign policy, entered Goodbye Columbus, a bistro on Manhattan's Upper West Side. A retired Navy captain, an adviser not only to Carter but to two Republican administrations, and now an adjunct professor of Middle Eastern politics at Columbia University, Sick still moves with a stiff military bearing. He has interviewed so many arms dealers and shadowy intelligence operatives over the last two years that he now has a regular corner table at this white-tiled, brass-railed yuppie joint. It may have once seemed an unlikely meeting place for such disparate types, but in the surreal world that Gary Sick now inhabits, nothing surprises.

"You take events you know very well," Sick said, taking a bite of his pasta, "and strip off a layer and suddenly there is a whole different world. I was in the White House then, but now I'm forced to go back and rethink every stage. Things happened for different reasons than you thought. There is another world. A whole different reality."

On April 15, an article Sick published on the op-ed page of The New York Times gave legitimacy to allegations that the 1980 Reagan-Bush campaign secretly made a deal to delay the release of the American hostages in Iran. Fearful that Carter might pull an upset if he brought the hostages home as an "October surprise" just before the election, the Republicans made certain that he couldn't. Or so Sick charges. Deadly earnest, bookish, and almost ascetic, Sick was reluctant to make the connections demanded to substantiate rumors that he had heard for years. Even as the crisis unfolded, others, including President Carter himself, were told of clandestine dealings between Reagan campaign officials and the Iranians. Carter said that it originally seemed "inconceivable" to him "that this could be done by Bill Casey or anyone else. It's almost nauseating to think that this could be true—that any responsible American citizen could possibly have delayed the release of American hostages for one day, for any purpose." But Carter's faith in Casey's probity was shaken to the core when former Iranian President Bani-Sadr boldly stated this spring that the deal had occurred.

"Now the evidence is so large," Carter said, "and so many people are making allegations that I think it has aroused a genuine question." He subsequently met with Speaker of the House Tom Foley and urged him to launch a full-scale congressional investigation. Last month, eleven years after the events in question, and following a summer of fact-finding, House and Senate panels convened a formal inquiry into the charges.

One can almost make a *prima facie* case that surreptitious deals did take place. The hostages, it should be recalled, were released only minutes after Reagan's inauguration. "You'd have to be the village idiot to believe Iran released them at that time without talking to the Republicans," says one congressional staffer. "And before then, Reagan had no authority to negotiate."

But perhaps we are a nation of village idiots. Flabbergasting as the basic scenario of

the October Surprise is, equally astounding has been the public's ignorance of the charges, despite the fact that evidence from credible sources has been disseminated over the past couple of years through a variety of mainstream forums, from Congress to ABC's Nightline to the op-ed page of The New York Times. Not exactly the paranoid sheets of conspiracy kooks.

In recent months, several operatives have emerged from the deep cover of the international intelligence community. Their disturbing narratives reflect back at you your own political biases. If you revile the Reagan-Bush epoch, you'll find an administration founded on ultimate treachery. If you admire Reagan's reign, these tales come across as the hallucinations of crazed publicity hounds. Lay their stories on top of one another like the anatomical transparencies in a medical textbook and you have a shocking picture of a body politic diseased with corruption at the highest level.

Certainly the term "hostage deal" doesn't do justice to the gravity of the allegations. Granted, it would have been horrific to arm Iran as a reward for prolonging the imprisonment of Americans. But more appalling is the likelihood that the CIA helped engineer the whole thing. If these charges have merit, it means that a covert action staged by members of the Reagan-Bush campaign and the CIA sabotaged an American presidential election. Ultimately, such an unholy collaboration raises charges so weighty that they tax credulity, so incendiary that few dare put them on paper.

Eleven years have passed since the purported deal. That makes for a cold trail—lots of time to get rid of evidence. It is not consoling to know that former attorney general Ed Meese now oversees the disposition of Reagan-Bush campaign papers. Key figures have died—most notably Casey. Some have departed under suspicious circumstances—Iranian arms dealer Cyrus Hashemi, for instance.

Detractors of the October Surprise theory continue to describe much of the evidence as islands of truth linked by footbridges of fantasy. "The whole thing is counterintuitive," says Bob Woodward, who wrote about William Casey and the CIA in his best-selling book *Veil*. Addressing the October Surprise, the hero of Watergate comes across as a stolid apologist for the anticorruption viewpoint. "Why, I wonder, would the Iranians think for a moment that it made sense to make a deal with the Republicans when the information suggested that the Republicans might not even win? Not only is there no smoking gun. There's not even any smoke in the room, except hypothetically. Maybe a little haze."

And yet, after more than 150 interviews with sources in and out of the government, and after reviewing thousands of pages of official documents from congressional hearings and court records, I believe a compelling case can be made that in 1980, this country experienced its first and only coup d'état and never knew a thing. "Compared to the October Surprise," says former attorney general Elliot Richardson, "Watergate was an innocent child's frolic."

Here's how it happened.

THE SECRETS OF CASEY

At the center of the story is William Casey, a blustery, deceptive operator whose clandestine maneuverings began during the Second World War when he served as director of secret intelligence in the Office of Strategic Services, the CIA's precursor. Under the legendary "Wild Bill" Donovan, he had directed covert operations of the sort for

which the CIA later gained notoriety. The ungainly, perpetually disheveled Casey was an ideological cold warrior possessed of Manichaean moral certitudes that guided him through the shadowy precincts of covert action. In this sub-rosa world, "unofficial" channels execute "unofficial" policy, often without the knowledge of duly elected officials.

Almost no one disputes that Casey, who died in 1987, was capable of engineering the October Surprise. In fact, his colleagues give credence to the story precisely because, as one says, "it would have been so much like him." The reaction of Scott Thompson, an associate professor at the Fletcher School of Law and Diplomacy at Tufts University who worked on the 1980 Reagan-Bush campaign, is typical. "I have no way of knowing the details," Thompson says. "But I met with Casey regularly during the campaign. He kept everything very compartmentalized and would have met with people on a one-on-one basis so that no one knew everything."

Thompson is convinced that Casey engineered the hostage deal. "So people finally figured it out," he told me. "What the [----] did they think was going on?"

The capture of the American Embassy in Teheran by Iranian students on November 4, 1979, marked the official beginning of the hostage crisis. For the next 444 days, fifty-two Americans were imprisoned by the Iranians. In the weeks that followed their seizure, Carter and the National Security Council frantically sought options to obtain their release.

In early 1980, Israel went to the administration, offering to broker an unusual deal: The Iranians would free the hostages in exchange for desperately needed weapons. Israel's proposal was based on several explosive factors that lurked beneath the surface of the crisis, largely unseen by the American people. Israel's oil came from Iran. Israeli arms sales to Iran were crucial to its economy. And militarily Iran was a counterweight to Israel's feared enemy, Iraq's Saddam Hussein.

The seizure of American hostages by Iran boxed the Israelis into an awkward position. Until Iran and the U.S. resolved their discord, Israel couldn't arm Iran without violating the American embargo against Khomeini's regime. And for the Iranian government, the hostages were becoming worthless, except as bargaining chips for badly needed arms. The most obvious—perhaps the only—solution to this quandary was one that was very difficult for Carter to accept morally: an arms-for-hostages deal. Former Israeli intelligence agent Ari Ben-Menashe says he and other Israeli operatives played a central role in trying to broker exactly such an exchange.

Carter, however, regarded as anathema the notion for arming a country that had seized Americans. He rejected Israel's proposal. He saw it as tantamount to paying a bribe to terrorists. And to have discussed the prospect openly during a presidential election season would have been political suicide.

That's where this story might have ended. But the Iranians, aided by the Israelis, found another bidder.

From the earliest stages of the crisis, American and Israeli agents had been establishing secret lines of communication with Teheran. According to Ben-Menashe, retired CIA operatives in the United States began to set up back channels to deal with the Iran crisis even before 1980. The first meeting, he says, took place in late 1979 at a Georgetown apartment, not long after the hostages were

seized. "The whole thing didn't start out as a scheme to delay the hostages," says Ben-Menashe. "It became that later on. At first it was normal undercurrent diplomacy. The motive was to arm the Iranians so they could fight the Iraqis." Among those present were Ben-Menashe, several Israeli agents, and Miles Copeland, a retired CIA officer who had played an important role in the coup that brought the shah back to power in 1953. "Copeland was disgusted with Carter's handling of the situation," says Ben-Menashe. Aiding Copeland, he says, was the late John Shaheen, a New York oilman and an old OSS friend of Casey's who had later surfaced in the Iran-contra investigation as a link to arms sales in Iran.

In February 1980, Ben-Menashe says, Robert "Bud" McFarlane, then an aide to Senator John Tower, and Earl Brian, a businessman who had been secretary of health in Reagan's California cabinet, met highly placed Iranian officials in Teheran. In a sworn affidavit submitted by Elliot Richardson on behalf of one of his clients, a computer-software company called Inslaw, Ben-Menashe states that both McFarlane and Brian had a "special relationship" with Israeli intelligence, McFarlane having been recruited by Rafi Eitan, a legendary Israeli agent who was the model for a leading character in John LeCarre's *Little Drummer Girl*. "McFarlane was the famous Mr. X in the Pollard case," adds Ben-Menashe, referring to the trial of Jonathan Pollard, an American convicted of spying for Israel. In Pollard's case there were persistent allegations about another, unnamed American who secretly worked for the Israelis.

Both McFarlane and Brian have declined comment.

McFarlane and Brian's visit, Ben-Menashe says, helped set up later meetings in Madrid, which in turn paved the way for the crucial October rendezvous in Paris.

A SHOT IN THE DARK

Somewhere in the chasm between the brutal political realities of the hostage crisis and Jimmy Carter's guileless idealism were conditions ripe for manipulation by the one person cold and cunning enough to exploit them.

As the 1980 election season got underway, William Casey was the most sought-after insider by Republican presidential hopefuls. Both George Bush and John Connally had asked him to run their campaigns, but Casey bided his time, currying favor with several leading candidates. When Ronald Reagan lost the Iowa caucus to George Bush on January 21, and shortly thereafter fired campaign manager John Sears, Casey made his move.

In fact, it wasn't unusual for countries to use arms dealers like the Hashemis as quasi-official negotiators, nor was it uncommon for intelligence services to rely on them for contacts and information. The meeting between Casey and the Hashemis established solid communication channels between the Republicans and Iranians. "You could say without stretching the term that Cyrus was a double agent," says Sick. "He was working with the U.S. government but providing information on the side to the Reagan campaign."

Appalled by Carter's fumbling efforts in Iran, factions in the CIA were on the verge of doing the same. These disaffected elements regarded the President as ruinous to the country's overall security. Carter's appointment of his former Naval Academy class-

mate Stansfield Turner as CIA director had rankled scores. In what has become known as the Halloween Massacre, Turner had purged 820 surplus CIA personnel in October 1977, many of whom had been cold warriors and special, or "black," operations executives and counterintelligence officers. In early 1979, another 250 people put in for retirement. At the time, an article in *The Washington Post* said "American intelligence is dying" and placed the onus on Turner.

"You can't imagine the tremendous anger against the Carter administration in the military and intelligence apparatus," say Susan Clough, formerly President Carter's personal secretary. "And not just in the CIA. Emotions had been boiling for years."

One reason the hostages were going nowhere in the spring of 1980 was that their fate was yoked to the resolution of internal conflicts among various Iranian factions—none of which could afford the political risk of openly supporting the prisoners' release. At 5:00 a.m. on April 1, Carter and his aides gathered in the Oval Office to listen to a speech by Iranian president Abolhassan Bani-Sadr. "Carter had given the Iranians a deadline," says Sick, who was present at the meeting. "He said that they were supposed to move the hostages into the care of the government, away from the hostage-takers, the students, by the end of March. That date had run out, but now Bani-Sadr was saying that if the United States fulfilled certain responsibilities, the hostages would, in fact, be moved to the custody of the government."

Although it later turned out that the relatively powerless Bani-Sadr was overruled by Khomeini and Carter was forced to approve a disastrous military action to rescue the hostages, it seemed then that his political survival would be guaranteed if he brought the hostages home before the November election. When the polls opened in the Wisconsin primary that day, Carter's announcement of seeming progress in the hostage crisis resounded with voters. His strong showing that day reversed the downward slide in his campaign.

But every time Carter enjoyed even a sliver of success, his opponents struck back with illicit and disproportionate force. On April 20, an article in the *Washington Star* by Miles Copeland described a plan he claimed to have concocted for a rescue operation of the hostages. As Stansfield Turner recalls, the scheme bore an amazing resemblance to one actually being worked on by the administration. On April 22, a radio broadcast in Teheran revealed a CIA plot to rescue the hostages. "They didn't mention the Copeland piece," says Turner, "but we assumed the two were related. We were terrified at first but came to the conclusion that it was worth going on with the operation." The Desert One mission, which took place on April 24, ended in disaster, leaving eight U.S. soldiers dead and rescuing no one.

CASEY'S PITCH

By May, Reagan was storming toward his party's presidential nomination, having won twenty-five out of twenty-nine primaries. When the Republican convention took place in July, the only suspense left was over who would be Reagan's running mate. Former president Gerald Ford was briefly touted as part of a "dream ticket." But because that had aspects of a potentially unworkable "copresidency," former CIA head George Bush came on as the vice-presidential nominee. With the ticket in place, Casey met with reporters on July 15 and boasted that an "in-

telligence operation" to monitor the hostage situation and guard against any surprises was "already in germinal form" under his direction.

Several weeks earlier, Cyrus Hashemi had asked his brother Jamshid to set up another meeting with Casey. This time, however, Cyrus wanted Jamshid to bring another key player in Iranian politics—Mehdi Karrubi, a powerful Islamic cleric who is now speaker of the Majlis. The meeting was to take place at the end of July at the Ritz Hotel in Madrid.

Jamshid Hashemi's account of these meetings, as reported first to Sick and later on *Nightline*, offers an extraordinary look at how William Casey operated. The meetings included Mehdi Karrubi and his brother Hassan, the Hashemis, and for the Americans, Casey and two others who have not been positively identified. Hashemi describes the first meeting as opening without either side having a clearly stated agenda. Karrubi started by attacking the policies of the United States in general and Jimmy Carter in particular. Casey responded by saying the Republicans traditionally had better relations with Iran than the Democrats did—a banal-enough statement, but one freighted with ramifications. If you help us, it seemed to suggest, we'll help you.

Casey also asked what Iran intended to do with the hostages and what it would take to get them out as quickly as possible. Nothing, Karrubi replied, could be done without Khomeini's approval. They agreed to meet the following day. After the three-hour meeting was over, Karrubi asked Hashemi, "What had the purpose of the meeting been? What did Casey want?"

The next day, Karrubi posed those questions to Casey. What was Casey authorized to say on the subject of hostages and the release of Iran's frozen assets? And since the U.S. had also been holding large shipments of weapons paid for by Iran under the shah, Karrubi wanted to know if there was some way to get them. Iraqi troops were menacing Iran, and he wanted to know if there was some way the arms could be transferred through a third country.

Casey responded with his own questions. He wanted to know if Iran was ready to deal with the Republicans and hand over the hostages. Could Karrubi act on Khomeini's behalf? There was also the matter of timing. Some Iranian factions were anxious to get rid of the hostages right away. On the other hand, an immediate release of the hostages was the last thing Casey wanted.

Then, according to Hashemi, Casey broached for the first time the idea of delaying the hostage release, asking if they could be turned over to Reagan after the election. If that happened, Casey added, the Republicans would arrange for the release of Iran's frozen assets and the military equipment that had been held up.

"I think," Karrubi replied, "we are now opening a new era and are dealing with someone who knows how to do business."

On July 30, back in Washington, George Bush and Bill Casey dined together. It was just two weeks after the Republican convention. If Jamshid Hashemi is correct, Casey had just returned from Madrid. Whatever Casey and Bush may have discussed, we can be certain of only one thing: Whoever booked the restaurant had a sense of humor. It's called the Alibi Club.

Contacts continued between the Iranians and the Republicans. According to Der Spiegel, Casey's colleague John Shaheen met Cyrus Hashemi in New York on August 2. (He

would meet again with Hashemi on October 22.) At a second set of meetings in Madrid in early August, an agreement between Casey and Karrubi began to take shape. Karrubi said Khomeini had accepted Casey's suggestion. The hostages would now be treated as guests rather than prisoners. Casey thanked him and said that even though he was not in the government, he had friends, and within the next day or two, he would get back to Karrubi with suggestions regarding weapons. They discussed how to delay the release of the hostages, but Casey was told that if the delivery of weapons was not made, there could be no agreement about the hostages.

The following day, Casey told Karrubi that Cyrus Hashemi would be introduced to a man in Madrid who would help Hashemi buy and sell weapons. As a result, Hashemi bought a five-thousand-ton Greek freighter for \$1 million. According to Jamshid, the freighter made four round trips between the Israeli port of Eilat and the Iranian port of Bandar Abbas between August 1980 and January 1981. The transactions were in violation of American trade sanctions, so each time the ship left port, the name was changed in passage. On paper, no shipments were made. In all, \$150 million of arms—mostly artillery shells, tank ammunition, and antitank guns—were sold to the Iranians that way. This detailed account of the Madrid meetings is based on one source only—Jamshid Hashemi. Ari Ben-Menashe confirms reports that the Madrid meetings took place, but says he was not present. Everyone else said to be at these meetings is either dead or has refused to talk. Should we believe Jamshid Hashemi's account?

There is evidence to corroborate his tale. Through hotel records, ABC News was able to confirm that at the very least the Hashemi brothers were in Madrid at the time. Moreover, Casey's calendar is empty during the dates given for the meetings in July—unusual in itself, given the pace of a presidential campaign. Despite recent protests from Reagan campaign officials that Casey never left the country during the campaign, Casey was photographed on July 28 at a reunion of OSS veterans in London, just ninety minutes' flying time to Madrid. His schedule would have allowed him to be in Spain on the twenty-seventh and early on the twenty-eighth. "If Jamshid Hashemi were fabricating his story," Sick says, "it's certainly an extraordinary coincidence that he happened to pick precisely those days in which Bill Casey was probably out of the country. When Hashemi told me his story, he had no way of knowing Casey's schedule."

If there was a line between what was conceivably legitimate on the part of the Republican campaign and what was potentially treasonous, it was crossed at Madrid. Until then, Casey's encounters with Iranians like Hashemis could have been justified as a means of keeping a presidential candidate informed about the Iranian crisis. After Madrid, no such pretense was possible.

MOLES

Throughout the summer, people both inside the Carter administration and out of it continued to funnel sensitive information to the Reagan-Bush campaign. Carter himself has said in *The Village Voice* that he suspects CIA/NSC staffer Donald Gregg of leaking White House secrets. Another was a Justice Department consultant named Herb Cohen who was eager to get involved in the hostage negotiations. Every two weeks or so, he would call Gary Sick with suggestions about the negotiations, hoping in exchange to ferret out vital secrets. Sick would pass

on "low-level" gossip to Cohen, who in turn would leak the information to Prescott Bush Jr., brother of then-vice-presidential candidate George Bush. In September, Prescott Bush wrote to his brother's campaign aide, James Baker, saying that Cohen could deliver "hot information" from "reliable sources on the National Security Council."

By that point, Reagan's seemingly insurmountable twenty-five-point lead in the polls had begun to dwindle, and Casey still worried that Carter might be able to bring the hostages home. At an 8:00 a.m. campaign meeting on September 12, Casey exhorted his top

an obstacle that made it difficult for Iran to successfully defend itself. "As early as February, Khomeini had told us we had to resolve the hostage issue," says Ahmad Salamati, a delegate to the Majlis who is now in exile in Paris. "He did it again in June. But each time, it was dragged out, always for a different reason that was never explained."

There are at least two clues to what was happening in Iran. In the unlikely forum of the Donahue show this past May, former Iranian President Bani-Sadr proclaimed that then-foreign minister Sadegh Ghotbzadeh wrote the Majlis a letter on September 20, 1980, stating, "We are informed the U.S. Republican party is using its best efforts to make sure that the hostages will not be released until the presidential election in November."

The fundamentalist clerics sounded a similar message. "In September, the clerics suddenly became very cynical and sarcastic," says Mansur Farhang, the Iranian ambassador to the United Nations at the time. "Every time I mentioned what the hostage-taking was doing to Iran, they said, 'You are too simpleminded. You really don't understand that we have nothing to fear from Ronald Reagan and a Republican victory.'"

By the middle of October Carter had somehow pulled into a dead heat with Reagan, sending the Republicans into a panic. With Carter's advantages as an incumbent haunting him, Casey met early every morning at the Skyline House apartment complex in the Washington suburb of Falls Church, Virginia, to strategize with Ed Meese and several other campaign aides. Their planning was greatly assisted by information stolen from the White House. As later revealed in the Albosta report, the published results of a 1984 congressional investigation, the Republicans relied on dozens of informers who either worked in or had access to the highest levels of the White House, the National Security Council, the CIA, and the military. Much of the material they leaked was classified. Reagan foreign-policy aide Richard Allen received daily staff reports written for Carter's national security adviser. Zbigniew Brzezinski. The Reagan campaign even obtained advance copies of President Carter's travel itinerary, allowing Republicans to sandwich Carter's appearance between two Reagan-Bush teams, one known as the Truth Squad, which provided the press with questions to ask Carter, and another known as Consequences, which sought to repair any damage Carter may have done to the Reagan campaign.

Casey's team had gone on high alert, anticipating another attempt to extricate the hostages after the Desert One failure. Admiral Robert Garrick, a director of Reagan campaign operations, recruited military friends at several bases to watch for large aircraft movements that might indicate an-

other secret operation—either an arms transfer or another rescue attempt. "They let it be known that they were watching for a new rescue attempt," says one Carter adviser. "They made a clear and overt attempt to sabotage a rescue effort. They knew the planning was going on and they were trying to stop it by going public with it."

At this point, the Carter administration was so thoroughly populated by Reagan-Bush moles that information reached the Republicans virtually instantaneously. In an October 15 memo, Richard Allen informed Reagan, Meese, and Casey that an "unimpeachable source" had warned him of an impending hostage settlement.

In fact, the Carter administration had been considering a spare-parts-for-hostages deal. But as they vacillated, the Iranian overture wilted. Finally, around October 21, according to a State Department memo, assistant secretary of State Harold Saunders was told "the Iranians are not going to make a negotiation with the Carter administration."

The Iranians didn't need to. They had just sealed a deal with someone else.

THE DEAL

The final deal didn't go down in an underground garage or behind a potted palm. It took place instead in Paris, amid the plush confines of the Ritz Hotel, in an upper-floor suite next to what Ben-Menashe describes as a "secure" elevator. "It sounds fantastic," he says, "but when I give you all the details, everything will fit into place." He claims to have been an eyewitness to the chain of covert events of late October 1980.

Ben-Menashe is speaking from his temporary residence in Australia where he is completing a book on his career in Israeli intelligence. In 1980, he claims, he was part of the Israeli team that brokered the key meetings at which the October Surprise deal was hatched. While there are conflicting versions of that week, all accounts share at least three key points: that William Casey was a pivotal figure at the sessions, that there was an agreement that the hostages would not be released prior to the election, and that Israel would serve as a conduit for arms. Ben-Menashe and others claim that George Bush attended one of the meetings that week.

I have been through more than ten hours of phone interviews with Ben-Menashe in which he's told stories that, if true, would rewrite the history of the Reagan-Bush era and bring down the Bush administration. He talks with the persuasive fervor of a man whose life is in danger. He hopes that the worldwide attention his conversation generates will provide him a life-insurance policy no money can buy. "I've been looking over my shoulder since 1986," he says. "Somewhere, somehow, somebody's gonna get me." He cites two agents he claims have been killed recently by the Israelis. Last June he left congressional staffers' heads spinning after hours of secret videotaped interview sessions with investigators.

An Iranian-born Jew of Iraqi parentage, the forty-year-old Ben-Menashe grew up in Teheran. He attended the American School there and began work for Israeli military intelligence in 1974. His language skills and familiarity with the country enabled him to penetrate Iranian intelligence and help crack the shah's secret code.

In 1977, Ben-Menashe, who speaks Farsi, Arabic, Hebrew, and English, joined the Israeli Defense Forces Military Intelligence as an Iran specialist. In 1978, at Teheran University, Ben-Menashe met Seyyed Mehdi

Kashani, the son of Ayatollah Kashani who would later become an important figure in postrevolutionary Iran. "Kashani [the son] had just been released from the Shah's jail," says Ben-Menashe. "He was actually predicting the revolution. A lot of intelligence people didn't understand that what was happening in the opposition was centered at the university." Ben-Menashe did and sent back reports that the Shah was on his way out.

Ben-Menashe says he was present in Paris as part of a team of six Israeli agents, one a woman, who helped broker the deal. They arrived either on Tuesday, October 14, or Wednesday the 15, and stayed for five days. Ben-Menashe says he and three other Israelis stayed at the Hilton and that all records of their visit were destroyed. "Everything was cleaned out," he says. "After we left, a person who represented himself as being from the Israeli Embassy cleaned out the records. But it wasn't us who did it."

"My job in Paris was basically networking with the Iranians, getting addresses and phone numbers and points of contact in Europe to help with arms deliveries later on."

"Mostly we did a lot of hanging out with the Iranians and talking to each other and having a good time. One night we ate at Hippopotamus [a Parisian chain of steak houses] with the Iranians. I was one of the few who wouldn't eat steak because it wasn't kosher. One of the Iranians wouldn't because it wasn't halal, but the others did. And they were drinking wine, which they weren't supposed to do. These guys weren't clerics, remember. We got really close to them, they wouldn't do that in public because they are representatives of the Islamic Republic."

For the most part, the Israelis were told to keep their distance from the Americans, but during the week there were two meetings with them. "One was at the hotel with the Iranians," Ben-Menashe says. "The same stuff was talked about. It was all about arms shipments, about how they were going to be done, and in what form. We were not really talking about the hostages. That was out of our realm. We were not at that level."

As a result of these encounters, Ben-Menashe says, a group known as the Joint Committee—officially, the Joint Israeli Defense Force Military Intelligence/Mossad Committee for Iran-Israel Relations—was set up in November 1980 in order to funnel a huge number of arms to Iran. The organization was run jointly by the Mossad [Israeli intelligence] and Israeli military intelligence. Ben-Menashe was appointed a member on November 28, 1980. "We had tens and tens of companies that were opened and closed, middlemen and cover companies all over the world for these deals," he says. "But all of them were linked to the Joint Committee."

As for the American presence in Paris, he says that "other than secret-service types, there were five Americans at those meetings. Among them, he claims, were two Carter administration officials whose careers have thrived in the Reagan and Bush administrations—Robert Gates and Donald Gregg. Gates, who was nominated by President Bush in May to head the CIA, was then executive assistant to CIA head Stansfield Turner. Donald Gregg, now ambassador to South Korea, was then CIA liaison to the National Security Council. Ben-Menashe claims they attended meetings in Spain as well. Gregg has denied the charges. At press time, Gates had withheld comments.

The big meeting as Ben-Menashe calls it, took place on either Sunday, October 19, or Monday, October 20—he is not sure which,

"The night before, two other Israelis and myself went to see Mehdi Karrubi in the Hotel Montaigne, a very small, inconspicuous hotel used by the Iranians all through the years, not far from the Eiffel Tower. We were there to reassure Karrubi about the arms pipeline. Our catch phrase was, 'The enemy of your enemy is your friend. The Israelis used it, the Iranians used it. They [the Iranians] always reminded us of the biblical story that Cyrus, the Iranian emperor, was the guy who led the Jews out of bondage.'"

The next morning before noon, Ben-Menashe says, there was a meeting at the Ritz Hotel in Paris. "Karrubi and an aide walked in," Ben-Menashe says. "Then George Bush walked in with Casey and said hello to everybody very politely. Then they walked to the conference room on the upper lobby."

Casey's presence, at least, has also been confirmed by Richard Babayan, an Iranian who began working for the CIA in the Seventies. Now in jail for securities fraud, Babayan says he was in Paris at the time, plotting a coup to overthrow Khomeini. "I was meeting in Paris with Iranian expatriates trying to put the coup together," said Babayan in an August telephone interview. "I became aware of Casey meeting with Islamic individuals. There were meetings, and I was able to debrief some of the people on the Iranian side who were present with Karrubi. I later met with Casey in June 1981, and he confirmed that he was at the meetings. The arms hadn't been delivered as quickly as promised, and he asked me if I could go to my Iranian contact and stall them for sixty to ninety days."

WHERE WAS GEORGE?

President Bush says he was not in Paris at all that year and had no knowledge of or any participation in any October Surprise deal. As for the weekend in question, close to a full day remains unaccounted for in Bush's schedule between the evenings of October 18 and 19. Official spokesmen have proposed several different versions of Bush's whereabouts. He was at home with a secret-service detail; at home without a secret service detail; at the Chevy Chase Country Club, lunching with Supreme Court Justice Potter Stewart; or attending a Zionist Organization of America convention "in either Philadelphia or New Jersey." These contradictions have made it difficult to place Bush anywhere on October 19, 1980.

Likewise, there is much conjecture about Donald Gregg's whereabouts that weekend in October. In a related court case, Gregg produced family photos showing him on a Delaware beach. But a local weatherman called as a witness to challenge Gregg said the weather that weekend had been too cool and gray to match the photos. "These people don't seem to be chilly," he said. "They don't display any signs of shivering, and I think I would." With the temperature at one point that weekend as high as 63 degrees, isn't it possible that Gregg really was on the beach? "It's absolute _____ that the pictures were taken at a different time," his daughter Lucy Gregg-Buckley says. "I gather Stansfield Turner says no one goes swimming on the beach in October. Well, we do."

William Casey, of course, is dead. Some intelligence figures and journalists in the U.S. and Israel say Ari Ben-Menashe is a fake. "He is a liar," says former CIA officer Victor Marchetti. "He's still working for the Israelis and is putting out _____. According to Washington Post reporter Mark Hosenball, 'Ben-Menashe is a con man. He's a nasty _____. And when Ben-Menashe took

a lie-detector test for ABC News, he failed miserably. 'There was no ambiguity,' says Chris Isham, senior producer for ABC's investigative unit. 'He goes way off the chart on all relevant questions. My theory is that a lot of what he says is true, but that Ari exaggerates his own role and muddies the water.'"

Yet it's almost impossible to dismiss him. As one of the original sources of the Iran-contra story, Ben-Menashe made allegations of arms traffic that were later corroborated by Congress. Hamid Naghashian, then an arms procurer for Iran's Revolutionary Guard, also confirms at least a portion of Ben-Menashe's story, placing Casey and Bush, along with Richard Allen, at the Paris meetings, according to former CIA contract agent William Herrmann. Pulitzer Prize-winning reporter Seymour Hersh had enough faith in Ben-Menashe to use him as a source for his forthcoming book on Israel's nuclear program. And former attorney general Elliot Richardson, a staunch Republican who emerged as the moral hero of Watergate after he refused President Nixon's order to fire Special Prosecutor Archibald Cox and resigned instead, has submitted sworn affidavits by Ben-Menashe on behalf of a client. A standard legal gambit, perhaps, but Richardson finds Ari Ben-Menashe a compelling witness. "I take him seriously as being who he says he is," says Richardson.

THE PAYOFF

In the days following the Paris meetings, events took place that suggested a deal was made. According to Gary Sick, within forty-eight hours of the meetings "there was a secret shipment of military equipment from Israel to Iran, which the Carter administration in fact learned about, and complained to Israel."

In the U.S., Reagan campaign aide Barbara Honegger, author of *October Surprise*, heard a colleague rejoice that the Reagan team didn't have to worry about the hostages returning to ruin their election chances, "because Dick [Allen] made a deal."

In Iran, after months of delays, the commission responsible for terms for the hostage release finally reported to the parliament. "It wasn't until November 2, forty-eight hours before the American elections, that they met," recalls Ahmad Salamati, a delegate to the parliament. "And the commission came up with the same terms that the Ayatollah had come up with two months earlier. Why things were handled this way was never clear. I've no explanation other than that it was dragged out to favor Reagan's election."

On November 4, Ronald Reagan was elected President, overwhelming Carter in a forty-five-state electoral sweep.

Of course, Reagan would not take office until January 1981. Over the next three months, the Carter administration continued negotiating fiercely for the hostage release, getting nowhere. Finally, on January 15, the Iranians completely reversed themselves. "Suddenly, Sick recalls, 'after having bargained very hard from November to January, the Iranians for all practical purposes paid us to take the hostages back. That isn't putting too strong a point on it. They suddenly agreed to resolve the whole banking issue in a way that was terribly costly for Iran.'"

By 8:00 a.m. January 20, all negotiations had been completed. Five minutes after Reagan took the oath of office, Iran announced that it had agreed to the American terms. The hostages were released within a half hour.

Suspicious though the timing was, it was within reason. Just one more way for Iran to stick the knife in Carter and twist it.

What they didn't know was that as the plane with the hostages took off from Tehran headed for freedom, other planes were loaded and taking off from Israel, going the other way with military equipment. That is not speculation. In July 1981, an Argentine plane chartered by Israel crashed in Soviet territory and was found to have made three deliveries of American military hardware to Iran. Alexander Haig, Reagan's first secretary of state, acknowledges that during this period, U.S. arms were sent to Iran. "I have a sneaking suspicion that someone in the White House winked," he said. This secret and illegal sale of military equipment continued for years afterward.

That arms pipeline was managed by the Joint Committee, Ben-Menashe says, and over the next few years, it shipped \$82 billion worth of weapons, including American arms, to Iran. He's well aware that it is a figure so astronomical as to cast doubt on his credibility. "An army of 700,000 people were fighting a war for nine years," he says. "The Iranians had 1,700 Katyusha launchers. Each launcher has 40 rockets. And it can be reloaded every minute, each launcher. Each rocket costs approximately a thousand dollars. Multiply that by 1,700. Modern-day war is expensive." "This traffic couldn't have existed without a body like the Joint Committee to coordinate it," says Sean Gervasi, a former consultant to the United Nations who tracked covert arms shipments for the UN Security Council for ten years. "The volume is too big and the time is too long."

Is there any evidence to suggest that a large volume of arms started moving to Iran in the early 1980s, after the establishment of the Joint Committee? In 1986 the U.S. Justice Department began prosecuting a group of arms dealers for trying to smuggle \$2 billion in weaponry to Iran. Ben-Menashe, of course, claims the arms dealers were working with the Joint Committee. And according to documents from the Belgian Ministry of Justice, the Arab League, presumably acting on behalf of Iraq, sent a delegation to Brussels in 1984 to file a complaint with the Belgian government. The delegation charged that from 1982 to 1984 there had been large-scale shipments of American arms to Iran through Belgium.

The ensuing investigation found "intense arms traffic between countries that have been struck by an embargo," especially Iran. The report shows several companies, among them Cosmic Trading, an Iranian company, as having provided "an important market for M48 American tanks." It cites orders to obtain M48 and M60 tanks, as well as F5 and F104 planes. These transactions seem unlikely without American involvement.

In the early Eighties, Cyrus Hashemi went from a free-lance arms dealer to a double agent employed by the U.S. Customs Service in a sting operation. His work resulted in the Justice Department's prosecution of Sam Evans, the attorney for Adnan Khashoggi, and sixteen others who were allegedly plotting to sell billions of dollars of arms to Iran. The deal would have included hundreds of F4 and F5 fighters, more than fifteen thousand TOW missiles, and scores of tanks. According to Ben-Menashe, several of the targets of

Enraged by the crackdown on their arms shipments, the Joint Committee fought back by leaking details of the Second and North second channel. In 1986, Ben-Menashe went to Time magazine reporter Raji Samghabadi with details of arms sale to Iran by Second, North, and Hakim. "The information he gave me was earthshaking, and it was later corroborated by Congress," says Samghabadi. For six months Time tried to corroborate Ben-Menashe's allegations and failed. As a result, Ben-Menashe gave the story to an Iranian contact who leaked it to the Lebanese newspaper Al-Shirra. The exposé resulted in the Iran-contra investigation.

Cyrus Hashemi may have paid for his duplicity with his life. In 1986, he ended up dead in London, under suspicious circumstances. His lawyer, William Wachtel, said that he was "ninety-eight percent certain" that Cyrus had been murdered. According to Richard Babayan, Hashemi's death was ordered by a high-level Iranian official. Hashemi's is not the only death that merits investigation. In August, J.D. Casolaro, a Washington writer working on a book about the October Surprise, was found dead in West Virginia. Shortly before his death, he reportedly told his brother, "if there's an accident, and I die, don't believe it."

On Sunday, August 4, 1991, Gary Sick is hunkered down in his office, a tiny, converted maid's room crammed with a computer, a printer, and two chairs. He is working as he does every day on "A Question of Treason," the story that has obsessed him since 1988. Just like on that early morning eleven years ago when he was summoned to the White House to receive inscrutable news from Iran, the phone rings. This time, it's a reporter from the Cable News Network saying that Congress plans a formal investigation of his charges. Sick feels a modicum of relief but no exultation. He's already too familiar with the baroque case that will have to be built on mysterious witnesses and circumstantial evidence. "We're never going to get to the bottom of this," he says, "unless a good aggressive investigative panel goes out with subpoena power and digs up records that are closed to private investigators like me."

It still intrigues him that Casey would have done it. "The way the economy was going, and with John Anderson as a third party candidate draining votes from the Democrats, Carter was very vulnerable," Sick says. "But there is a high probability that the hostages would have been released earlier if the Republicans hadn't interfered. The negotiations were going in good style right up until everything was dashed. It would have been a helluva lot better for the hostages."

The phone keeps ringing that Sunday—the usual media blitz—and eventually Sick will turn it off. But for now he welcomes the clamor, no matter how distracting, for perhaps it means that a nation has finally woken up to the story that won't let Gary Sick rest.

FRONTLINE,

Boston, MA, November 18, 1991.

THE NEW REPUBLIC MAGAZINE,
Washington, DC.

DEAR SIR: As the reporter for the PBS "Frontline" documentary attacked in your November 18, 1991, issue, I feel compelled to point out some of the inaccuracies in the reporting by Steven Emerson and Jesse Furman. These writers have failed to check out facts or put them in fair context. Further, I feel their ridiculing of the many re-

porters who have tried to examine this difficult issue, the so-called October Surprise controversy, is a disservice to journalism—and makes investigative reporting even harder than it already is.

But as for their distortions about the documentary:

The New Republic's readers might be surprised to know that although Frontline is accused of embracing the October Surprise allegation, the documentary states several times that we found no definitive evidence or "smoking gun" to prove the charges. We tried to be as even-handed as possible in examining the long-simmering controversy that we neither invested nor injected into the public record.

Although we're accused of basing our program on disreputable characters, our interviews included President Reagan's ex-national security adviser Richard Allen, former Secretary of State Alexander Haig, former assistant secretary of state Nicholas Veliotis, William Casey's widow Sophia, Reagan's domestic adviser Martin Anderson, conservative Republican staffer Angelo Codevilla, ex-CIA officer Miles Copeland, longtime Casey friend Albert Jolis, Casey campaign assistant Robert Garrick, former CIA counsel Mitchell Rogovin, former CIA director Stansfield Turner, President Carter's ex-press secretary Jody Powell and former White House aide Gary Sick. This list should suggest that we were reviewing what was known about the allegations from a wide variety of people who were in positions to shed light on the 1980 election story.

Our documentary also included new disclosures about President Carter's activities in 1980, including his failed attempt to use the CIA to influence the outcome of Iran's presidential election in January and his complaints to Israel's Prime Minister Menachem Begin about shipments of F-4 tires to Iran in early 1980. We also divulged new information about U.S. approval of Israeli shipments to Iran in 1981.

In addition, it was Frontline which brought to national attention the Secret Service records showing that the detail guarding then-vice presidential candidate George Bush went to the Chevy Chase Country Club on one of the key dates in question. Although that document was put on the screen and would seem to disprove TNR's claim that we were promoting the allegations, the article conveniently ignores this fact.

At another point, I am personally singled out for supposedly stating (along with attorney William Kuntzler) that Cyrus Hashemi's death was "mysterious" and that he had been "murdered to shut him up about what he knew about the October Surprise and that the U.S. government has covered up his murder." This claim in your article is an outright lie. The reference to Mr. Hashemi's death in the Frontline documentary is contained in four words: "Cyrus died in 1986." That's it. No "mysterious," no murder cover-up. As for my personal views, I have never asserted that Cyrus Hashemi was murdered to protect the October Surprise nor that the U.S. government covered up the circumstances of his death. Not only have I never said anything like that, I do not believe it. Further, I find it highly unprofessional for co-writer Steven Emerson to have called me about this article, failed to ask me about Cyrus Hashemi's death and then fabricated an opinion for me.

While the article is replete with similar distortions and falsehoods, let me focus on just a few more points:

contra fame—had established a second channel for selling arms to Iran, in competition with the Joint Committee. The start-up of a competing arms pipeline was bad enough, but with the sting operation, Ben-Menashe says, Attorney General Ed Meese had joined with North's group to declare war on the Joint Committee.

The article slams us for quoting some individuals who have "been indicted or [were] the subject of a federal investigation." This standard, objecting to interviews with such people, represents a breathtaking new rule of journalism. The legal status of our interview subjects was relevant to identifying them but does not determine whether they spoke the truth. Such a standard, excluding interviews with people who have had legal trouble, also could present some practical problems in Washington, since many officials from past and present administrations could no longer be talked to. After all, many officials have been "the subject of a federal investigation" at one time or another. A significant number, in fact, have been convicted of crimes, including such offenses as perjury, obstructing justice and falsifying documents.

The writers take us to task as well for reporting on the perjury trial of Richard Brenneke, who claimed to have participated in one of the alleged Paris meetings. Brenneke was found innocent by a 12-member jury in May 1990. Although new evidence has recently surfaced demonstrating that Brenneke was lying about his own participation in the meetings, we had no choice when our program aired last April but to recount the trial. However, we did point out to our readers that Brenneke's credibility was questionable.

TNR's readers should be reminded that it was the federal government that initiated the charges against Brenneke; the FBI had been brought in to investigate; and current and former government officials trooped forward to testify against Brenneke. In short, the government had chosen, literally, to make a federal case out of the October Surprise allegations.

To the jury, one of the flimsiest government claims was that a photograph of former CIA officer Donald Gregg, in bathing trunks on a beach, proved that he was not in Paris on October 19th. The photograph, showing no landmarks, was stamped with the development date of "October 1980" on the back. It was introduced as corroborating proof that Gregg was at Bethany Beach, Del. Emerson and Furman were impressed with this photographic evidence and complain that we "embraced Brenneke's trial defense" which called a weatherman who testified that the weather conditions at the time were incompatible with the picture.

In attacking Frontline, the writers argue that breaks in the clouds on Sunday afternoon matched the sunlit photo, but the weatherman's point was that a weekend storm front had brought in cold air and strong winds, neither of which seems apparent as the lightly clad figures posed on the beach. But what the jury considered most absurd about the photograph was that all it proved was that Gregg had his picture taken on some beach somewhere and had the film developed sometime in October 1980. Commenting about the absurdity of the photo evidence, the jury foreman told us, "What do they think we are, country pumpkins?" (sic)

The story of Brenneke's acquittal was carried by newspapers around the country and raised the eyebrows of many Americans who wondered what on earth had happened, if anything, between the Republicans and Iranians in 1980. The government's abject failure to prove that Brenneke was the liar he appears to be shifted the burden onto the American news media to take a second look at the larger allegation of whether Casey made improper contacts with the Iranians. To its credit, Frontline had the guts to take

on this responsibility and enlisted producer Robert Ross and me to investigate the controversy. We recognized from the beginning that whatever we found would get us criticized—either by the true-believers in the October Surprise conspiracy or by the equally doctrinaire souls who insist there are no such things as conspiracies.

At first, I believed we might be able to debunk the October Surprise allegations by plumbing some information that the Brenneke prosecutor had missed. We approached former Attorney General Edwin Meese III and sought permission to review Republican campaign files at the Hoover Institution. While we never expected to find records of Bill Casey flying to Paris, we thought we might find proof that he was in the United States on key dates, thus destroying the allegations. But we were denied access to those records.

We were similarly rebuffed by a number of other Reagan supporters who we thought might help us disprove the charges. For instance, Robert MacFarlane, the man who arranged the so-called L'Enfant Plaza meeting, should have known the identity of the Iranian emissary. But he would not respond to our inquiries and recently has joined Allen and Judge Laurence Silberman in insisting that he has no idea who the Iranian was. For his part, Allen claims that he lost a memo he wrote about the meeting.

We approached Mrs. Casey, seeking her help in establishing her late husband's whereabouts on the relevant weekends. But she, too, could provide no information. We asked to interview the Secret Service men who kept an eye on candidate Bush during the campaign; we were denied the opportunity to speak with anyone on his team. We went to Europe to interview people who should have been able to contradict Brenneke's claims about the Paris meeting; they would not cooperate.

However, through this work, we did locate more and more people who believed that Casey did make contact with Iranians. We encountered some individuals who claimed first or second-hand knowledge about a Republican-Iranian deal. In handling their statements, we set a policy that we would accept only information about the core allegations when given on-the-record by people who had a plausible basis to know and then use it only when there was multiple corroboration. Some points, like the alleged Madrid meetings, had never been in the public domain, so when we found three individuals with apparently independent knowledge placing Casey with Iranian cleric Mehdi Karrubi in Madrid, we gave it greater weight than the Paris stories that had already circulated publicly.

But let's turn the tables for a moment. How thorough was TNR in its debunking? Take for example, the Madrid allegations which featured centrally in anti-October Surprise articles both in the New Republic and in Newsweek. Those articles show little care in addressing the key issue of dates for the first Madrid meeting. Iranian Jamshid Hashemi told us and ABC Nightline that this initial meeting occurred in late July. Our review of Casey's public appearances leaves a gap for the campaign director from July 25th until July 28th. The New Republic article examines only the "window" from July 27th to July 30th. Those dates come from the ABC Nightline broadcast, but ABC found no appearance for Casey on July 25th and cites only the memory of Casey's secretary who believes Casey was in Washington on July 26th. Her 10-year old recollection alone does

not permit a responsible investigation to reach any definitive conclusion. We are still looking for documents that might establish clearly where Casey was on July 26th. That could help determine the plausibility of Madrid meetings possibly beginning July 25th or 26th and finishing a day later. As for the World War II conference in London, the man who made the check marks next to Casey's name and those of the other participants does not deem that conclusive proof, and some of the attendees disagree on when Casey showed up. Furthermore, the conference ran from July 28th to July 31st and therefore could not possibly provide an alibi for the 26th.

My final point relates to Ari Ben Menashe, an ex-Israeli intelligence official who has claimed knowledge, dating back to 1980, about the secret Iranian arms pipeline. Although your authors accept the Israeli cover story that Ben Menashe was only a low-level translator, the facts do not back that up. We have interviewed three Iranians—one a former defense minister and two Teheran-based arms procurers for the Revolutionary Guards—who described working with Ben Menashe during his years in Israeli intelligence. A Senior Israeli intelligence official confirmed that Ben Menashe had operated in Poland in 1985, when that nation was still a Soviet bloc country. Though the Israeli government says Ben Menashe never traveled on government business, his passports show dozens of foreign trips to countries in South and Central America as well as to Europe and the United States. High-ranking Israeli intelligence officials have told us this travel pattern would never have been tolerated if Ben Menashe did not have some government authority. Although we continue to look hard at Ben Menashe's allegations, many simply have proven true. He is not as readily dismissed as both the New Republic and Newsweek think.

In summary, the New Republic article is not an objective piece of journalism. With its snide tone, it is a polemic intended to punish anyone who dares inquire about the origins of the Reagan-Iranian contacts. If Steven Emerson and Jesse Furman have their way, that history will stay secret forever.

Sincerely,

ROBERT PARRY.

[From the New York Times, Nov. 19, 1991]
HOSTAGES, THEN AND NOW—THE OCTOBER
SURPRISE: HEAR THE CASE

The October in question was in 1980 and the idea of a surprise has been around ever since. For endless months, America had chafed over the captivity of the 52 U.S. Embassy hostages in Iran. That summer and fall, it is alleged, Ronald Reagan's campaign bargained with Iran to block a dramatic release that would boost President Carter's chances on the eve of the election.

Is that a repugnant but plausible accusation? Or is it unworthy partisanship that plays on a public susceptibility to talk of plots? Congress can do the nation a service by going forward now with a careful investigation and judgment.

The October Surprise story remains unproved and unrefuted. Considerable circumstantial evidence has been assembled, notably by Gary Sick, a National Security Council aide in the Ford, Carter and Reagan Administrations.

But the veracity of his key sources is dubious, as Mr. Sick acknowledges. He bases his conclusions on a pattern of details gleaned from many different accounts, too dispersed in time, he believes, to have been concocted or coordinated.

Some details are not in dispute. For example, most accounts agree that people claiming to be Iranian agents did approach the Reagan campaign about the embassy hostages. There's no question that the 1980 Reagan campaign director, William Casey, had a taste for spectacular, sometimes reckless covert dealing. But it is a considerable leap from known and partly known fragments to conclude that the Reagan campaign pursued a deal with the Iranian Government.

Who's right? There may never be a completely dispositive answer; but even so, Congress can give the public its best judgment, using its ability to require testimony under oath. Presidents Carter, Reagan and Bush have all welcomed the idea of a fair investigation. The Democratic leaders of each House have called for preliminary inquiries, and appropriate committees have authorized them.

Yet some Republican members now oppose going forward with these investigations, deriding them as exercises in partisanship. They threaten to block necessary funds, which in fact are quite modest. Careful action could summon relevant witnesses, including some who have been reluctant to talk. It could subpoena official records, like flight logs and Secret Service documents that have so far been selectively leaked.

It's probably impossible to banish all partisanship when elected officials examine allegations about a political campaign. But there are strong incentives for restraint by both sides. Democrats, wary of public criticism of their performance in past hearings, are determined to proceed with care and caution. The Republicans could constructively do the same.

STATEMENT OF GARY G. SICK, NOVEMBER 22, 1991

Mr. Chairman, I am pleased to be invited to testify before the committee on the question of possible unauthorized contacts by private Americans with Iran during the presidential elections of 1980. I realize that this is an extremely contentious issue, with implications that go to the heart of the U.S. political system. I hope that my testimony can be helpful to you in deciding whether or not to proceed with a full investigation of this matter.

It may be useful at the start to give you a few words of background about myself and how I became involved with this issue. I spent a full career of 24 years as an officer in Naval Intelligence, retiring in 1981 as a Captain. During the last ten years of my naval service, I completed a PhD in Political Science at Columbia University and then came to Washington where I was the desk officer for the Persian Gulf and Indian Ocean in the Office of the Secretary of Defense.

In 1976, I was seconded to the National Security Council staff, to work on Persian Gulf and Middle East affairs in the administration of President Gerald Ford. The National Security Adviser at that time was General Brent Scowcroft. After the 1976 elections, I was asked to remain in the same position under the administration of President Carter, where I worked for Zbigniew Brzezinski. After the 1980 elections, I was retained in the same position for several months by the administration of President Reagan and his National Security Adviser Richard V. Allen. After my retirement from the Navy in April 1981, I was retained as an unpaid consultant with the National Security Council until I went to New York in August of that year.

I was the principal White House aide for Iranian affairs during the Iranian revolution

and the hostage crisis. After I left government service, I spent a year at Columbia University researching and writing a book about those events ["All Fall Down: America's Tragic Encounter With Iran"]. The book was published in 1985, when I was deputy director of the International Affairs Program and the Ford Foundation. I retired from the Ford Foundation at the end of 1987. Since that time, I have been an independent author and analyst, specializing in the politics of Iran and the Persian Gulf. I also teach a graduate seminar in U.S. foreign policy at Columbia University, where I am an adjunct professor.

My decision to write about the events of the 1980 election was taken slowly and reluctantly. I had, of course, heard suspicions about a secret deal between the Reagan-Bush campaign and Iran almost from the moment when the hostages were released only a few minutes after President Reagan's inaugural. I did not believe them. I simply refused to believe that a party out of power would intervene with a hostile foreign power to undercut the negotiating efforts of their own government and affect the lives and welfare of 52 American prisoners. Four years later, I wrote a book about the hostage crisis which was not flattering to the Carter administration. I made no reference to a possible secret deal. In the election of 1988, when accusations of a secret deal first received widespread attention in the national media, I acknowledged the new information that had come to light, but I refused to endorse the allegations despite repeated queries from journalists and the Democratic campaign. After the 1988 election, I submitted a proposal to The Twentieth Century Fund to write a book about the Reagan administration's relations with Iran. The proposal made no reference to the so-called October Surprise, and as I began work on that project in early 1989 I had no intention whatsoever to deal with that subject.

As I began collecting research material for the book, however, I began to discover anomalies in the historical record. For example, I found that some Iranian officials in 1980 had referred openly to efforts by the Reagan-Bush campaign to delay the release of the hostages for political reasons. These contemporaneous statements, and the timing of certain Iranian decisions during the hostage crisis, seemed to be consistent with allegations of a secret deal that had emerged in 1987 and 1988, leading me to dig deeper. During this same time, I began to talk regularly to a small group of journalists who were continuing to pursue this story even after it had been abandoned by the mainstream media. Their investigative findings often matched the timing of the new material I was finding in the historical record. By the end of 1989, I began to conduct a few interviews with prospective sources.

It was not until mid 1990 that I felt I had accumulated enough evidence to consider writing on this subject. At that point I faced an unpleasant decision. I had never considered myself a political partisan. I had always been a registered Democrat, but I had never participated in political campaigns and I attempted to maintain a balanced, non-partisan perspective in my work. I realized that if I decided to write on an issue of such great political volatility, which cut so close to the bone of political sensitivities, I would subject myself to accusations of partisanship and, potentially, to smear tactics as part of a campaign to discredit my work. I consulted with my family, warning them of the possibly unpleasant consequences. They encouraged me to proceed.

I also realized that I might lose the grant on which I relied to carry out the research. In mid-1990 I met with the president of The Twentieth Century Fund to inform him that the book I intended to write was quite different—and far more controversial—than the proposal I had submitted 18 months earlier. I said that I could still write the book I had promised to the Fund, but it would have to be delayed until I completed my research on the 1980 elections. In the meantime, I would understand if the Fund wished to suspend the grant. After careful consideration, the Twentieth Century Fund agreed to continue its support, a decision that I regarded—and continue to regard—as both generous and courageous.

I provide this brief background to set the record straight. My decision to write about this subject was taken because I had uncovered a body of evidence that I believed was important and deserved to be brought to public attention. I came to the subject late, and I realized that it was potentially hazardous—personally and professionally. My present position, in which I am identified as the advocate for a politically controversial point of view, is both unfamiliar and uncomfortable to me. I firmly believe, however, that the research I have done, with the invaluable assistance of many other researchers and journalists, is too important to be ignored. It is also far from complete. I fully intend to persevere in exploring the circumstances of the 1980 election, though I recognize the limitations of any private citizen in attempting to get to the bottom of such a complex and sensitive matter. For that reason, I respectfully urge the Congress to undertake a quiet, balanced, thorough, and politically fair investigation of these matters.

I would like to raise two substantive points with the members of the subcommittee. Both involve sources.

Within the past several weeks, two magazine articles have appeared that were sharply critical of allegations that the Reagan-Bush campaign of 1980 met secretly with Iranians to affect the timing of the release of the American hostages in Iran.¹ These two articles, which were quite similar in form, tone and substance, were published simultaneously on November 4 (although the publication dates of the magazines are given as November 11 in one case and November 18 in the other). I was contacted by reporters for both articles shortly in advance of publication. In both cases, I informed them that many of the points they intended to raise in their articles would be covered in great detail in my book, which was scheduled to appear one week later on November 11. In both cases, the authors of these articles showed little interest in what I might have to say, and both rushed into print without waiting to see the book.

As a result, there has been a great deal of misinformation and misunderstanding that could easily have been avoided. Because of the proximity of the dates, many observers perhaps understandably assumed that these articles were a critique of my research, when in fact they deliberately chose to ignore it. What they did was to set up a series of straw men, crude caricatures of both the evidence and those who have treated that evidence seriously, and then proceed to knock them down. I do not recognize myself in these gross generalizations, although I am clearly intended to be included as one of their ge-

¹ Steven Emerson and Jesse Furman, *The New Republic*, November 18, 1991; John Barry et al., *Newsweek*, November 11, 1991.

neric conspiracy theorists. I also do not recognize the sources they describe, although I have in many cases spent many hours with these men while the authors of these articles have for the most part contented themselves with a search for press clips. Most of all, I do not find in these articles any reflection of the care and attention that has been devoted to authenticating the evidence that I and others have presented. In their selective use of evidence, their unwillingness to consider alternative explanations, their quickness to demean anyone who has done serious research work on this subject, and their cavalier and wholesale dismissal of the testimony of numerous sources, they did nothing to further the cause of truth. They did, however, whether intentionally or inadvertently, poison the atmosphere in such a way that a reasoned discussion of these issues has become infinitely more difficult.

That is regrettable, for a dispassionate discussion of these issues is precisely what is needed at this time.

Last week, Random House/Times Books published "October Surprise: America's Hostages in Iran and the Election of Ronald Reagan." In that book, I attempt to provide the first truly comprehensive analysis of all the available evidence on this subject. The book contains a great deal of new information, not of the "smoking gun" variety but rather the crucial details that link the major events together in a whole that is greater than the sum of the parts. The array of evidence presented in the book is the same evidence that persuaded me to change from disbelief to a growing conviction that a secret deal took place in 1980. That evidence may not persuade everyone, but it does provide a baseline for reasoned discussion. In the past, this story has consisted mostly of isolated bits of evidence presented in a wide array of news sources. This book at least assembles those diverse bits and pieces and places them in a larger political and historical context.

What this evidence shows is a consistent pattern of secret contacts between the Reagan-Bush campaign and Iran. The contacts began early in 1980, from about the moment that William Casey became the campaign manager for Mr. Reagan. They continued through the summer of that year in Madrid, where the first outline of a deal was reportedly proposed and accepted and where Israeli participation was first introduced. The terms of the bargain were reportedly made final in the second half of October in Paris. The hostages were released minutes after President Reagan had taken the oath of office, and arms began to flow to Iran from Israel, with U.S. government acquiescence, almost immediately thereafter.

The historical spine of this account is simply a reconstruction of the chronological record, based on a wide variety of news accounts, letters, and other data from the period. Some of this information has only recently come to light, such as the report of the Iranian foreign minister to the parliament on August 16, 1980, in which he said: "We have information that the American Republican Party, in order to win in the upcoming election, is trying very hard to delay the resolution of the hostage question until after the American election." [p. 89] That statement was made only a few days after Casey was reported to have met with an Iranian representative in Madrid for the very purpose described in the statement.

Some of the new information is based on a review of information that was available to the Carter administration in 1980. For example, it is now known that the Hashemi broth-

ers, who were working both with the Carter administration and, covertly, with the Reagan campaign, did seek out two senior Iranians who were prepared to come out of Iran to meet with Americans on the hostage question. One of those was a relative of Khomeini, who in fact had such a meeting in Madrid with a private U.S. representative on July 2. The other was Mehdi Karrubi, who is later said to have met with William Casey at the same site and under almost identical circumstances just three weeks later.

In reconstructing this sequence of events, I conducted hundreds of interviews over a period of several years. I also shared information with a number of fine journalists and scholars, and I benefited immensely from their work. In the book, I cite more than fifty sources, most of whom were former government officials in Iran, the United States, Israel, as well as officials of the Republican campaign, former hostages, and academics. There is no "super source" who claims to know the whole story. Quite the contrary, I was told repeatedly that this was a professionally managed covert operation which respected the rules of compartmentalization and "need to know."

The sources are named. Unlike the Watergate investigation that was launched on the basis of a unidentified Deep Throat, this research relies primarily on the testimony of individuals who have been prepared, often at some personal risk, to speak on the record. That means that these individuals have exposed themselves to attack and ridicule, but it also means that in the best academic tradition, the facts can be checked by other investigators. Anonymous sources are used very sparingly in this book, primarily to corroborate information from other sources.

Key elements of the story, particularly the accounts of covert meetings, rely on individuals who have operated on the shadowy side of international politics. Covert arms deals and political operations, regrettably, do not employ boy scout leaders and church deacons. There are two good reasons for that. First "respectable" people do not have the special skills that are required for such operations. Second, it is convenient to be able to discredit a disgruntled operative who may decide to start talking about what he knows. That does, however, create a serious problem for the researcher.

There are two possible choices. One can dismiss any source who does not have an impeccable record of integrity and honesty. Some have even gone so far as to suggest that anyone who has been investigated or indicted by a federal agency should automatically be rejected as a source, and everything he says should be regarded as false. In Washington, and elsewhere, that sharply reduces the available supply of interlocutors.

A second possibility is to listen carefully to what such individuals say, especially if there is reason to believe that they have access to important information, and then to check those statements as carefully as possible. That is the path I chose. To paraphrase President Reagan's maxim, the rule is "Listen but verify." To those who would repudiate any specific source, I would ask only that you take the effort to find out what information is based on his testimony and whether there is any corroborating evidence. What you will soon discover is that many of the sources who have become popular targets for attack either do not appear at all in this study or else have been used only when the information they provided was independently corroborated.

Mr. Chairman, based on my research, I believe there is substantial evidence that a se-

cret deal was carried out during the election of 1980. Most of that evidence has never been examined by a duly constituted body of the U.S. government. It is certainly incomplete, and reasonable people may differ on the interpretation of the data, but in my view there is ample evidence to justify a low-key and responsible examination by a panel equipped with subpoena power.

In closing, let me suggest to you several areas of inquiry that have been closed to me and to other private researchers but which might be fruitful avenues of investigation for a congressional committee.

First, and most obvious, where was William Casey during this period? Over the past summer, President Reagan directed the archivists of his new library to search the 1980 campaign records to see if there was any evidence that William Casey was involved with Iran during the campaign. According to their report, they found no information whatsoever about his schedule. Mr. Casey simply seemed to be absent from the campaign he directed. His secretary has been similarly uninformed. When reporters contacted her about Mr. Casey's movements during the period of the alleged meetings in Madrid, she had no information about his movements. Later research discovered that he had attended an international conference in London during part of that time. Can it be that Mr. Casey went off to a long-scheduled conference without telling his secretary or leaving behind some instructions about how he could be reached? This was, after all, only the second week after the Republican National Convention, and he was the national campaign manager. Mr. Casey was a very busy man. It seems impossible that he would keep no day books, phone logs, calendars, or appointment books, that he accumulated no bills or receipts or even memos that would locate him on key dates. Is there no one who saw him or spoke to him on those dates? We have here the case of the phantom campaign manager. I think a duly empowered investigative team could resolve this mystery. It may find that he was merely attending to campaign business on those dates. If so, then perhaps these questions can be laid to rest. But all attempts to do so have thus far failed.

Second, we know from court documents that the New York office of Cyrus Hashemi was under intensive surveillance by the FBI and Customs from at least October 14, 1980, until the surveillance was abruptly terminated shortly after the Reagan administration took office. Cyrus Hashemi, according to his brother, was acting as a double agent, cooperating with both the Carter administration and Mr. Casey on the hostage issue. His telephone calls, conversations and movements during this crucial period should provide a wealth of information that would either confirm or deny his brother's accounts. Those records are presently sealed and unavailable to private investigators, as are his files in other government agencies that had contact with him. They should be available to an investigative committee of the Congress.

Third, there is a considerable body of evidence that military equipment began to flow in substantial quantities from Israel to Iran almost immediately after the Reagan inauguration and that these shipments were known to, and approved, by the new administration. There are also repeated charges that some of that equipment came from U.S. stockpiles in Europe and possibly in the United States. That can be checked. A proper investigation should be able to determine

whether or not these shipments occurred, and if they did, who authorized them.

Finally, a congressional committee should be able to take depositions from many of the sources who have provided information on this subject, as well as those who have steadfastly refused to talk to me or others who have attempted to investigate this story.

In short, it is my view that the evidence developed to date is sufficient to justify an investigation, and there is reason to believe that such an investigation could resolve the issue.

The charges that have been raised are not about refighting an election that is long past. They are about the proper functioning of a democratic system. If this did not happen, we owe it to Mr. Casey and others to clear any suspicion from their names. If it did happen, it was a perversion of the democratic process and those responsible should be held accountable for their actions, if only to insure that it never happen again.

[From *In These Times*, Nov. 22-Dec. 10, 1991]

OCTOBER REPRISAL: THE STORY THAT WON'T DIE

(By Joel Bleifuss)

The first comprehensive report on what has become known as the October Surprise appeared on these pages more than four years ago. On June 24, 1987, *In These Times* compiled a body of evidence suggesting that the 1980 Reagan-Bush campaign made a deal with Iran to have the 52 hostages held in Iran until after that year's presidential election in order to ensure President Jimmy Carter's defeat. The central facts of the case presented in that story were as follows:

The Reagan-Bush campaign, fearing that Carter would gain the release of the hostages and swing the election in his favor, established a wide-ranging domestic intelligence operation to monitor the administration's negotiations with Iran. To that end, campaign manager William Casey named Richard Allen, the campaign's foreign policy adviser, to head what was known as "the October Surprise Group."

In early October 1980, Reagan-Bush aides Allen, Laurence Silberman and Robert McFarlane met in Washington with a man who claimed to represent the Iranian government of Ayatollah Ruhollah Khomeini. The man offered to release the hostages to the Republicans, not the U.S. government.

Following that meeting, the Iranians radically altered their bargaining position with the Carter White House.

The hostages were released minutes after Reagan took the oath of office on Jan. 20, 1981.

Almost immediately upon assuming power, the Reagan administration authorized Israel to ship U.S. arms to Iran. The practice, it later turned out, continued throughout Reagan's presidency.

Since first publishing this story, *In These Times* has continued to report on the October Surprise allegations as new evidence came to light. From the beginning, mainstream media outlets—almost without exception—opted not to use their vast resources to seriously investigate the charges. Either they ignored the story, or—as in a 1988 article by Mark Hosenball in the *Washington Post*—ridiculed the very idea of the October Surprise after a cursory examination of the facts.

The evidence and allegations, however, continued to mount—as did the number of journalists and experts who took the story seriously. Finally, this past April, the October Surprise leaped into the mainstream

media as a legitimate story. On April 15, Gary Sick—a respected National Security Council Analyst under Presidents Ford, Carter and Reagan—wrote a New York Times op-ed article in which he announced that, after an in-depth, first-hand examination of the evidence, he had become convinced that the 1980 deal probably happened.

The next day, the nationwide PBS network aired a Frontline documentary—reported by former Newsweek journalist Robert Parry—which added more weight to the case for an October Surprise. Both Sick and Parry provided new information alleging that Casey and Iran's Ayatollah Mehdi Karrubi met in Madrid in July and August 1980 to work out a framework for the deal.

The Frontline program, and an *In These Times* story that appeared the following day, examined the allegations of a former Israeli intelligence official, Ari Ben-Menashe, who claimed that he had attended a series of meetings held in Paris between Oct. 15 and Oct. 20, 1980, at which the alleged deal worked out by Casey and Karrubi in Madrid was finalized. Ben-Menashe's credibility was enhanced with the October publication of Pulitzer Prize-winning journalist Seymour Hersh's "The Samson Option," which uses Ben-Menashe as a primary source. (The Hersh book, it should be noted, is about Israel's nuclear arms program and does not explore Ben-Menashe's October Surprise allegations.)

Congress, meanwhile, announced that it planned to formally examine the growing body of evidence about the alleged hostage-delay deal (see story on page 8). It appeared as if the October Surprise allegations would finally get a full and fair hearing.

BACKLASH

But this month, as a new book on the scandal by Gary Sick was rolling off the press (see stories on page 18), the allegations about the 1980 deal once again came under attack. Two prominent national weeklies, *Newsweek* and *The New Republic*, ran cover stories that attempted to debunk the October Surprise, and thus lay to rest charges that Reagan-Bush campaign officials committed treason and engaged in electoral fraud.

Newsweek and the *New Republic* respectively portrayed the October Surprise allegations as "a conspiracy theory run wild" and "the conspiracy that wasn't." Some of their readers were no doubt convinced. During recent congressional debates on how (or whether) to investigate the allegations, Rep. Bob Livingston (R-LA) was seen waving the November 18 issue of *The New Republic*, the one that asked on its cover, "What October Surprise?" He no doubt agreed with *New Republic* authors Steven Emerson and Jesse Fruman, who wrote, "The truth is, the conspiracy as currently postulated is a total fabrication. None of the evidence cited to support the October Surprise stands up to scrutiny."

Newsweek reached the same conclusion. Reporter John Barry wrote, "The key claims of the purported eyewitnesses and accusers simply do not hold up."

But what is the evidence that does not "stand up to scrutiny"? Did the *Newsweek* and *The New Republic* stories demolish the basic evidence presented in the first *In These Times* account of the alleged 1980 deal? Did they disprove that the Reagan campaign set up a covert operation, staffed by then-current and former CIA officers, to monitor and meddle with the U.S. government's official hostage negotiations? Did they disprove that Reagan-Bush campaign officials met with professed representatives of Iran? Did they

disprove that the Reagan administration secretly authorized arms shipments to Iran immediately upon assuming power? No, no, no and no.

In point of fact, the two stories left the foundation of the October Surprise evidence almost entirely untouched. Instead, confronting the essential facts, the authors of both articles launched rearward attacks on two fronts. First, they focused on personalities, attempting to discredit those closely associated with the allegations and, in so doing, cast doubt on the entire case for an October Surprise. "What has kept the October Surprise conspiracy alive is a chain of 'super-sources,'" wrote *Newsweek*. Wrong. What has kept the story alive are the documented facts—and the questions they raise, many of which the Reagan and Bush administrations have actively skirted.

Second, both publications sought to disprove that meetings were held in Madrid and Paris to arrange the deal. "Their chosen method [was] to make a surreptitious substitution of the part for the whole; to put aside the argument about whether there was a deal and to concentrate only on whether there [were meetings]," wrote Christopher Hitchens in *The Nation*.

CHARACTER ASSASSINATIONS

Both articles attempted to cast doubts on the credibility of five people associated with the October Surprise story: Barbara Honegger, a former Reagan staffer who co-authored the first *In These Times* story on the 1980 deal and later wrote a book on the subject; Abolhassan Bani-Sadr, the Iranian president in 1980; Richard Brenneke, a Portland-based arms dealer; Jamshid Hashemi, an Iranian-born arms dealer; and Ari Ben-Menashe, an Israeli intelligence officer.

BARBARA HONEGGER

Emerson and Fruman described Honegger as "one of the leading champions of the October Surprise." Honegger did, in fact, do much of the original investigation into the scandal—including the piece she co-authored for *In These Times*. Since that time, however, many of those involved in the investigation have rightly criticized some of her research and reporting methods. Her 1989 book, "October Surprise," mixed important facts with fiction—some of which were supplied by publications affiliated with right-wing extremist Lyndon LaRouche. Furthermore, Honegger's personal eccentricities leave her open to ridicule. The *New Republic* found it necessary to highlight her beliefs in a supernatural world—as if that had anything to do with the very real world of covert action.

Honegger is thus an easy target. So what? *Newsweek* described her as a "would-be Deep Throat"—but Honegger has never claimed to be more than a minor witness. She openly concedes that her only direct knowledge of the 1980 deal was an overheard comment by a campaign staffer the "Dick [Richard Allen, she presumed] cut a deal." The veracity of that deal in no way hinges on this overheard conversation.

ABOLHASSAN BANI-SADR

In a 1988 *Playboy* article, the former Iranian president claimed first-hand knowledge that none other than George Bush was in Paris in October 1980 to finalize the hostage-delay deal. This allegation is one of the most controversial surrounding the scandal. In a recent interview, Sick described Bush's presence at such a meeting as an "open question," adding that current evidence "tends to show that George Bush was not in Paris."

Now Bani-Sadr himself appears to be backing off from the claim. In fact, he told *The*

New Republic that "I have always repeated that I wasn't sure." But while *Newsweek* and *The New Republic* devoted a good deal of space to documenting Bani-Sadr's disingenuousness about Bush's presence at the Paris meeting, they did not look at the White House's machinations on the same matter. As Sick pointed out, the White House has never made public any documents that might clear Bush of the charge for once and for all.

Why would Bani-Sadr lie? Emerson and Furman cited a 1988 *Washington Post* editorial noting that the exiled Iranian leader might well have political reasons for "smearing Bush." "Bani-Sadr has to hope that U.S. Iranian relations will continue to be antagonistic if the Iranian opposition is ever to have a chance of gaining important American support," wrote the *Post*.

True enough. But might not the Bush administration have political motivations of its own? One wouldn't know it from the two stories. *Newsweek*, in fact, proudly claimed that its evidence against the October Surprise allegations came from "government officials and other knowledgeable sources."

Richard Brenneke: Another man who once claimed to know for certain that Bush attended a Paris meeting is Richard Brenneke, a Portland-based arms dealer. Brenneke said he himself participated in another Paris meeting, attended, he claimed, by William Casey and Donald Gregg—but not Bush.

Brenneke's claims about personally attending a Paris meeting have since been discredited. Using Brenneke's credit card records—which showed he was in Seattle on the dates he claimed to be in Paris—the *Village Voice's* Frank Snapp conclusively demonstrated that whatever knowledge Brenneke had of those alleged meetings, it was not firsthand (see *In These Times*, Sept. 25, 1991). This writer was among those who had used—or had been used by—Brenneke (see *In These Times*, Oct. 12, 1988.)

New Republic writers spend more than a quarter of an 11-page story on Brenneke. If Emerson and Furman deserve any praise for their *New Republic* article, it is for delineating how, beginning in August 1988, Honegger, Bani-Sadr and Brenneke fed information through each other and then into the journalistic community at large.

Brenneke lied about being in Paris. But does that completely discredit everything he claimed? No matter what his motivations for lying may be, Brenneke was clearly "in the loop" on U.S.-Iranian arms deals. It is a documented fact, for example, that on Jan. 3, 1986—three days before President Reagan approved the sale of 10,000 TOW missiles to Iran—Brenneke had knowledge of the arrangement. Neither publication even mentioned this fact, which was established in court records.

Moreover, does the fact that Brenneke lied about some aspects of the October Surprise mean that those implicated in the scandal told the truth about all things? Emerson and Furman seem to think so.

In May 1990, Brenneke was acquitted of perjury charges related to his October Surprise claims. Both magazines let readers infer that Brenneke was on trial for saying he participated in October Surprise meetings in Paris. But each publication failed to mention that the charges against Brenneke resulted from his claims that Casey and Gregg had been in Paris—an assertion that has not been disproved, in or out of court.

New Republic writers highlighted an episode in the trial in which Gregg—who in 1980 was the CIA liaison to Carter's National Se-

curity Council and in 1981 became Vice President Bush's national security adviser—attempted to prove he could not have been in Paris as Brenneke had claimed. Gregg testified that he was in Bethany Beach, Del., on the weekend in question. To prove this, Gregg produced a picture of himself and his family on a beach. On the back of the photo was the processing date, October 1980.

Furman and Emerson wrote, "[Gregg] recalled that the weather was cloudy and produced a photograph of himself and his daughter on the beach." And they also cited a piece of evidence that prosecutors had not introduced at the trial: Gregg's datebook, which had "the word 'beach' penned on the October 18 weekend."

They went on to write that "Frontline embraced Brenneke's trial defense that the weather conditions on the Delaware shore on Oct. 20, 1980, were incompatible with the Gregg photo, claiming that 'U.S. government documents show the weather was cold and cloudy that weekend on the Delaware shore.' In fact, hourly detailed weather maps of that weekend from the National Oceanic and Atmospheric Administration show that on Sunday afternoon weather conditions were compatible with the picture Gregg produced."

It is not as simple as that. In a letter to *The New Republic* after it published its October Surprise piece, Parry wrote, "To the jury, one of the flimsiest government claims was that a photograph of former CIA officer Donald Gregg, in bathing trunks on a beach, proved that he was not in Paris on October 19 *** (Emerson and Furman) argue that breaks in the clouds on Sunday afternoon matched the sunlit photo, but the weatherman's point was that a weekend storm front had brought in cold air and strong winds, neither of which seems apparent as the lightly clad figures posed on the beach. But what the jury considered most absurd about the photograph was that all it proved was that Gregg had his picture taken on some beach somewhere and had the film developed sometime in October 1980. Commenting about the absurdity of the photo evidence, the jury foreman told us, 'What do they think we are, country pumpkins [sic]?'"

Brenneke had his day in court. Perhaps someday Gregg, a key Iran-contra player, will have his.

Ari Ben-Menashe: Six-months after Brenneke was acquitted, the U.S. government lost a second—and much more important—case involving another October Surprise source.

Ari Ben-Menashe, a former Israeli intelligence official, is one of the most significant October Surprise witnesses. Ben-Menashe says he was one of six Israelis who attended a series of meetings in Paris Oct. 15 through Oct. 20, 1980, at Casey's request. Their job, he says, was to help the Americans by coordinating arms deliveries to Iran.

In 1989, Ben-Menashe was arrested while attempting to sell Israeli-owned C-130 transport planes to an undercover U.S. Customs agent who claimed to represent Iran. In the fall of 1990, when he stood trial in a Manhattan federal court, the U.S. government, with the cooperation of Israel, tried to prove that Ben-Menashe was not an Israeli agent. A jury sided with Ben-Menashe.

Newsweek ran articles that examined Ben-Menashe's credibility in its November 4, November 11 and November 18 issues. In a November 4, two-page article on Ben-Menashe, Barry concluded that, "so far much of what Ben-Menashe says does not seem to check out."

Emerson and Furman agreed, repeating the official Israeli position that the "closest ac-

cess Ben-Menashe ever had to intelligence was his work as a low-level translator for the Israel Defense Forces External Relations Department from 1977 through 1987."

Newsweek supported its claim that Ben-Menashe is not who he says he is by quoting David Kimche, whom Barry identified as "a Mossad veteran and former director-general of Israel's Foreign Ministry." Kimche said Ben-Menashe was "apparently a minor clerk in some military branch."

And who is Kimche? In July 1985 Kimche and Robert McFarlane, Reagan's national security adviser, met in the White House and discussed arms shipments to Iran. This conversation gave birth to the Iran-contra scandal.

This was not the first time the two had met. According to published reports, in early 1981 Secretary of State Alexander Haig approved arms shipments to Iran on the advice of McFarlane, who was then a member of Haig's staff. In his new book Sick wrote that a "former high-level State Department official" told him that Kimche, then a deputy director of Mossad, and McFarlane, who had just come off the staff of the victorious 1980 Reagan-Bush campaign, held three secret meetings in Geneva, Washington and Jerusalem during December 1980. The purpose of these meetings was to "secure prior approval for arms sales to Iran."

Do these meetings indicate that Kimche may have been party to an October Surprise deal? At the very least they indicate that Kimche, as an expert witness on Ben-Menashe, is a walking conflict of interest.

Both *Newsweek* and *The New Republic* repeated charges by the Israeli government that Ben-Menashe is mentally unstable—a charge that, in light of this writer's lengthy contact with him, seems ludicrous. Worse, it gives longtime observers of Israeli intelligence a feeling of déjà vu. In 1986, when Mordecai Vanunu, an Israeli nuclear technician, exposed his country's secret nuclear arms program, the Israeli government branded him mentally unstable. Now Vanunu's revelations are widely accepted as fact.

And Parry's investigation increasingly bolsters Ben-Menashe's credibility. In his letter to *The New Republic*, Frontline's Parry wrote, "Your authors accept the Israeli cover story that Ben-Menashe was only a low-level translator. The facts do not back that up. We have interviewed three Iranians—one a former defense minister and two Teheran-based arms procurers for the Revolutionary Guards—who described working with Ben-Menashe during his years in Israeli intelligence. A senior Israeli intelligence official confirmed that Ben-Menashe had operated in Poland in 1985, when that nation was still a Soviet bloc country. Though the Israeli government says Ben-Menashe never traveled on government business, his passports show dozens of foreign trips to countries in South and Central America, as well as to Europe and the United States *** Although we continue to look hard at Ben-Menashe's allegations, many simply have proven true."

Another journalist who checked out Ben-Menashe was Raji Samghabadi, who as a *Time* magazine correspondent in 1986 used Ben-Menashe as a source in stories about *The October Surprise* and Iran-contra that were never published.

Both *Newsweek* and *The New Republic* attempted to portray Ben-Menashe as a Johnny-come-lately to the October Surprise. Barry wrote, "Ben-Menashe first surfaced as an October Surprise source in 1990." Emerson and Furman described Ben-Menashe as an

October Surprise source who only surfaced in 1990. . . . Like others before him, Ben-Menashe's recall of the October Surprise came about belatedly after he was arrested in 1989."

In fact, Ben-Menashe had discussed the October Surprise in 1986 with Time correspondent Samghabadi. This fact is attested to by Bruce Van Voorst, a CIA agent in the '50s who is now a Washington-based senior correspondent for Time. In 1979, Van Voorst hired Iranian-born Samghabadi to report for Time in Iran.

In 1990, when Ben-Menashe was standing trial for illegal arms transactions in a Manhattan federal court. He called Samghabadi, who had left Time earlier that year, as one of his witnesses. The following exchange took place between Samghabadi and Tom Dunn, Ben-Menashe's attorney, as is recorded on pages 1464 and 1465 of the court record.

Dunn: Could you please tell the court and the jury what was the purpose of the meeting in September of 1986 at the Algonquin Hotel between you and Mr. Ben-Menashe?

Samghabadi: Mr. Ben-Menashe consistently tried to get a story in print purporting, claiming, saying that as of 1980 there was a huge conspiracy between the United States government and Israel to supply Iran with billions of dollars in weapons off the books, without legal channels, knowing anything about them and it was still continuing at the time he talked to me. . . .

Dunn: Specifically, though, in 1986, in September, did Mr. Ben-Menashe question you about why this had yet to go into print?

Samghabadi: He was extremely perturbed that despite highly specific information Time editors refused to run that story. And I explained to him that a story with such a huge accusation would have to rely on more than a single unnamed source.

(Last week, Samghabadi told In These Times that he also had another source with knowledge of the alleged deal between the 1980 Reagan-Bush campaign and Iran. He described that source as an Iranian who is "a cabinet level official now" and who "has an account of everything that went down.")

In an interview with In These Times, Emerson insisted that he had fully read this trial manuscript. Yet he stuck by his claim that Ben-Menashe's recall of the October Surprise came about belatedly."

"There is something wrong with what you've got," he told this reporter.

Jamshid Hashemi: Jamshid Hashemi, an Iranian born arms dealer, claims that in July and August 1980, he participated in meetings with Casey and Ayatollah Mehdi . . . (now the speaker of the Iranian parliament), among others, to set up the October Surprise.

Both Newsweek and The New Republic argued that it would have been impossible for Casey to attend the alleged late-July meeting in Madrid, even though he had disappeared from public view for several days. They claimed that Casey was in London during that time period, participating in the Anglo-American Conference on World War II. They went on to say that based on the conference's attendance records, it was "impossible" for Casey to have attended two consecutive days of meetings in Madrid. The publications cited attendance records, which appeared to place Casey at the London conference.

But Sick, Parry and other investigators argue that these records—and other accounts of Casey's whereabouts—are very ambiguous. In his letter to The New Republic, Parry

wrote that the two articles "show little care in addressing the key issue of dates for the first Madrid Meeting. . . . Our review of Casey's public appearances leaves a gap for the campaign director from July 25 until July 28."

Craig Unger, who authored a long piece on the October Surprise in a recent edition of Esquire and was later employed by Newsweek to work on its investigation, also doubts that the conference records provide conclusive proof. His research suggested that it was very possible for Casey to leave the conference late on the morning of July 29 and take a 90-minute flight to Madrid, returning to Washington on the evening of July 30 in time for a dinner with candidate Bush at the aptly named Alibi Club.

In a letter to The New Republic, which Unger gave to In These Times, he disputed Emerson and Furman's interpretation of the conference attendance records. Unger wrote, "Jonathan Chadwick, who took attendance at the conference, had penciled Casey in for all the sessions on [July 29]. However, Chadwick says his pencil marks indicate expected, not actual, attendance, and were made before, not on, the day in question. When it came to marking Casey's name on the attendance charts on the 29th, what happened? Nothing. Absolutely nothing. The pencil marks were not amended. . . . Chadwick describes his own record keeping as 'inconsistent.' 'I can't guarantee [what it means],' Chadwick told me in an interview."

Jamshid Hashemi's attendance at the Madrid meetings, however, is somewhat more clear. Even Newsweek's Barry conceded that "[t]here is at least some corroborating evidence for [Jamshid Hashemi's] claim. For one thing, knowledgeable officials agree that Cyrus Hashemi [Jamshid's late brother, also reportedly in attendance at Madrid] played a minor role during the hostage crisis. . . . For another, as ABC News reported, the register at the Madrid Plaza Hotel actually shows that 'A. Hashemi' and 'Jamshid Halaj' were registered at the time in question."

The November Surprise: Apparently for lack of anything solid to contradict a growing body of evidence suggesting that the Madrid meetings did, in fact, take place, Barry recently suggested that the Madrid allegations stem from "a case of confused identity." In the November 18 Newsweek, he conjectured that a Khomeini representative who met with a Carter official in Madrid on July 2, 1980, might have mistakenly thought he was meeting with "a Reaganite instead of a Carter emissary." Hence, argued Barry, the seed was planted for the October Surprise.

Martin Kilian of the German newsweekly Der Spiegel—who has long been investigating the scandal—labeled Barry's hypothesis "bull-[----] extraordinaire."

Sick was more polite but no less adamant. "I know the people who were involved in those discussions [between the Carter and Iranian officials]," he said. "And I have good documentary evidence about what happened during that meeting and there was no possibility, and I repeat that, not the slightest possibility, that there was any mistaken identity. . . . I actually went to the trouble of giving John Barry of Newsweek a written, signed statement saying I know a lot about this meeting, and that based on what I considered to be conclusive information there was no chance of a mistaken identity. He went ahead and did his piece."

Like so much of the reporting that characterized the Newsweek and The New Republic articles, Barry's "mistaken identity" hypothesis is ill-considered, rush-job journalism.

Perhaps the most unfortunate aspect of these stories was their timing. Certainly The New Republic and Newsweek knew that Sick's book—years in the making—was scheduled for release this month. But instead of waiting to find out what new information Sick had discovered, they rushed to press with an infantile "November Surprise" of their own.

Why? "I really can't answer that question," said Sick. "They knew full well that my book was coming out. They spoke to me in advance and they chose to go ahead and rush into print before it came out. You'll have to ask them."

We did. "I stand by everything I have written in the article—everything and then some," said The New Republic's Emerson.

He said the article spoke for itself. For once, he was right.

[The Nation Magazine]

MINORITY REPORT

(By Christopher Hitchens)

Take the two propositions contained within the words "October Surprise." The two propositions are:

1. There was objective and subjective collusion between the Reagan campaign and the Ayatollah's men in 1980—objective because the two recognized a common interest in the defeat of Jimmy Carter and subjective because they deliberately but deniably coordinated this same common interest.

2. There are facts, inexplicable on their own, that can be explained no other way. Among those facts—many smoking guns in the form of arms deliveries, and several destabilizing interventions in the Carter reelection campaign.

There are two ways to approach this. First is to see if one hypothesis can account for all known facts. Second is to see if there is incontrovertible proof—confession of discovery—that would either negate the hypothesis or, in a flash of disclosure, vindicate it and make it unnecessary.

There is an alternative way, which is to ignore or ridicule the whole thing. For five years it was almost impossible to get any serious discussion of the case in the consensus media. Now, playing a rather vindictive form of catch-up, some of the organs of consensus have begun to protest too much. Surely, if only for reasons of professional pride, neither Newsweek nor The New Republic is ever going to allow that it missed the main story early on. (Only Gary Sick, of all those involved in the argument, has ever had the grace to admit that.) But in recent and mutually confirming cover stories, these two color magazines have both decided to say, at top volume, that there is no case at all for them to expend space upon.

Their chosen method is to make a surreptitious substitution of the part for the whole; to put aside the argument about whether there was a deal and to concentrate only on whether there was a meeting. Since not even clear evidence of a meeting (between, say, William Casey and the mullahs) would by itself convince anybody that there had been a deal, the exercise is in the wrong order as well as the wrong proportion. Still, rumors of 1980 meetings have been in the air for some time now, many of them floated by the oddest people and many of them reviewed in this space.

Both cover stories aim principally to discredit witnesses and unearth discrepancies, fair tactics in honest polemical or legal exchange. Newsweek makes a good point in observing:

"Journalists are vulnerable to the lure of a super-source—another Deep Throat, someone

who knows all and pieces everything together in a nice, neat package. In the October Surprise case, there are four would-be Deep Throats: Barbara Honegger, Richard Brenneke, Jamshid Hashemi and Ari Ben-Menashe. At some point each has claimed first-person knowledge of the conspiracy. The stories they told overlapped in broad outline—and in some cases, they compared stories, swapped details and helped each other become more convincing."

I call this a good point because I made it myself, in almost those precise words, during two long chats with Newsweek on October 10 and 11. I added two riders that both Newsweek and The New Republic omit, and that bear restatement:

1. The hypothesis of collusion does not depend on these or any other "eyewitnesses," any more than, say, the evidence of collusion at Suez in 1956 depends on the much-later-discovered transcript of conspiratorial meetings held at Sèvres between the British, French and Israelis. As with 1956, the hypothesis of collusion in 1980 rests upon observable public and political correspondences. It was evolved, and ignored, long before the "super-sources" broke cover. And we know much of what Watergate was, even if we still don't know the motive or identity of Deep Throat.

2. With the exception of Honegger, who really does seem to live in a consoling world of her own, all the witnesses cited above have been known to tell the truth on important and obscure points, as well as to tell fantastic lies.

One might think that this second point would be part of journalism's A-B-C. There is no need for a schooling in the Cretan paradox: Is a liar telling the truth when he claims to be lying? You ask of a source not "Is he an honest, incorruptible man?" but "Does his information check out?" This would be valid even if The New Republic and Newsweek did not implicitly accept the word of proven liars and obfuscators like Edwin Meese, Richard Allen, George Bush and Robert MacFarlane. Powerful people are never called liars or frauds or fantasists in such magazines. Who could fail to be touched when, on its first page, Newsweek announced that "after a long investigation including interviews with government officials and other knowledgeable sources," we could all relax and put the thought of high-level collusion out of our minds? And who wouldn't be impressed to read in The New Republic that "according to sworn affidavits, Israeli officials in the office of the prime minister, including Shamir himself, never heard of Ben-Menashe." (Italics mine; deference theirs.)

Briefly: I regard Richard Brenneke, Ari Ben-Menashe and Jamshid Hashemi as habitually deceitful riffraff. I base this judgment on their own claim to membership in the "secret world" of arms dealing, double dealing, narcotics trafficking and "national security." But to be witnesses to the underworld, they'd have to come from it, wouldn't they? And my interest in them is this: Brenneke once gave a document to a friend of mine proving that he had indeed told an official of the Defense Intelligence Agency, on January 3, 1986, that "Admiral Poindexter had given permission to sell 10,000 missiles to Iran." That happens to be the date of the crucial "findings," concerted with Israeli spook Amiram Nir, that sent TOW missiles to Teheran. How could Brenneke have known perhaps the greatest single secret of the secret state? Again, Ari Ben-Menashe gave evidence to Seymour Hersh (no pushover when it comes to fact checking) about the involve-

ment of Robert Maxwell's organization in Israeli nuclear espionage. As I write, this disclosure is convulsing Fleet Street by the simple, old-fashioned device of turning out to be true. And Jamshid Hashemi, asked by ABC's Nightline to substantiate his own presence in Madrid in July 1980, was able to do so and to pinpoint the one time—which he could not have otherwise known—that William Casey's overseas movements were suddenly hard to trace.

Why, if the October 1980 quid pro quo is such a dud currency, have so many experienced opportunists shown such a keen interest in counterfeiting it?

Whatever the motive for their decision to run arcane cover stories, descending into misleading detail about a hypothesis they had never before examined, the two mainstream magazines effected a pre-emptive strike on a book—"October Surprise," by Gary Sick—that their respective writers knew was to be published the following week but had not waited to read. Captain Sick was instantly faced with a lot of hostile, ill-informed, time-wasting questions that he had already answered. The New Republic's interests were made obvious enough: to shield Israel from the outrageous charge of improper conduct on arms-for-hostages and to forward Martin Peretz's puerile vendetta against the Public Broadcasting Service Newsweek, ostensibly less vulgar and politicized, nevertheless opened the bidding by saying that the collusion hypothesis had originated with Lyndon LaRouche's crank-sheet Executive Intelligence Review. Those of us scanning this Nazi rag for the first time were able to notice (a) that E.I.R. deliberately did not accuse the Reagan-Bush campaign of manipulating the 1980 crisis, and (b) that the emphasis at least makes a change. The Reaganites like Jesse Helms and Ed Meese, who have emerged as the chief antagonists of the collusion hypothesis, have not been at all ashamed to borrow material from LaRouche about, say, Michael Dukakis's fictitious shrink appointments. But they keep moaning that demands for an October Surprise inquiry are evidence of panicky Democratic partisanship. Just like the notion that the theory comes from a fascist cult, this line is a laugh in itself.

Captain Sick's book is, I think, potentially a real event in the life of the Republic. No advance defamation can obscure his relentless, many-sided focus on the case for collusion. He shows:

1. That many mutiny-minded C.I.A. men given early retirement by Carter and Adm. Stansfield Turner were specialists at manipulating elections in Europe and the Third World.

2. That there was a well-organized theft of presidential papers from Carter's most secret meetings, that those papers concerned Iran and the hostages, and that they were procured and exploited by the Reagan-Bush campaign.

3. That the few speeches made by Ronald Reagan on the hostage issue and the conditions for its settlement were timed to coincide with new and ever more impossible demands from Teheran, and to increase Carter's difficulty.

4. That details of attempts to rescue the hostages—after the misery of Desert One—were "leaked" to Iran even before senior Administration officials knew of them.

5. That the pattern of 1980 Israeli shipments to Iran, in spite of Carter's embargo, was understood by Iran to be a down payment on future shipments, which obviously wouldn't be coming from any Carter Administration.

6. That weapons flowed to Iran almost as soon as Reagan's inauguration was over, and that these shipments—coming when there were no hostages in Teheran and not yet any in Beirut—were "cleared" at no lower than the level of Gen. Alexander Haig. (Sick adds, with typical pedantry, that even if such transfers were "cleared," they would have been illegal.)

7. That at least one person—a former intelligence agent named Oswald LeWinter—has admitted receiving money for posing as a "source" for the story and spreading discrediting information intended to "confirm" it. He did this under the name of "Mr. Razin." (I remember this guy. He was often promoted by Barbara Honegger, and I'm glad to say I never gave him the time of day. Again, though, why go to such trouble to devalue a counterfeit currency?)

8. That the diagram of the October 1980 collusion is a key to the later and more fully exposed diagram of the Iran/contras collusion, which unambiguously involved arms being handed by Reaganites to hostage-takers.

What is the reply of our great intellectual weekly and our staunch newsweekly to all of the above? Why, nothing. They never set out even to ask the questions. They prefer to dispute the timing and nature of Israeli shipments (admittedly a clarifying exercise) and to smear witnesses to irrelevant "meetings." On the one crucial meeting, in Madrid, Sick has more reason to believe that Casey was there than his detractors have to believe he was not. But he is fair to his critics, and they won't return the compliment.

In a final burst of self-pity, the consensus scribblers complain that they have to investigate the protean allegation of "conspiracy" and face the thankless task of proving a negative. Insofar as this is valid, it applies to their own method as well. By declaring the collusion hypothesis a concoction—"a lucrative cottage industry," The New Republic grotesquely puts it—they are in fact alleging another conspiracy. Alas for them, they propose a conspiracy between people who have never met, or hadn't met except through the hypothesis itself, or have never spoken at all. This is the sort of conspiracy theory in which only paranoids engage. Defenders of the hypothesis simply point to hard and repeated evidence of collusion among people well accustomed to working together in secret, well trained in the habits of cover-up and covert action, and well disciplined by a common interest. Such people don't exactly need to conspire, so no negative needs to be proved. I suppose it could be asserted that the Reagan campaign, managed by men like Casey and Meese and Allen, aware of its opportunity and of Carter's vulnerability, and tempted by the offers from pro-Iranian middlemen, nonetheless decided to do nothing to protract the hostage crisis. But if you were willing to believe that after Debategate and Irangate, you would have to confess to a readiness to believe anything.

[From the New York Times, Dec. 11, 1991]

MORE "OCTOBER SURPRISE" SURPRISES

Secretary of State Baker now acknowledges that the incoming Reagan Administration "might very well" have approved Israel's secret sale of U.S.-made weaponry to Iran in 1981. His comment followed a report in The New York Times on Sunday that approval had indeed been granted—and that the sales were breathtakingly large, exceeding previous estimates by billions of dollars.

These disclosures do not confirm potentially devastating claims that Ronald Reagan's campaign aides conspired with Iran to

thwart President Carter's efforts to free American hostages—the "October Surprise" that Republicans feared. But Mr. Baker's comment clearly strengthens the case for an inquiry. Such an inquiry has been authorized, but not funded, by Congress.

Americans can reasonably wonder why the Reagan Administration reversed U.S. policy to permit Israel to sell arms to Iran. Washington was then publicly urging a worldwide embargo on weapons shipments to Iran. According to Seymour Hersh's report in *The Times*, the weapons, valued in the billions, had been urgently sought by Iran for its war with Iraq.

Any resale of U.S. weapons to a third country would have required permission. So who gave the go-ahead? Mr. Baker, then White House chief of staff, suggests it might have been Alexander Haig, then Secretary of State. For his part, Mr. Haig has said that if it happened, then someone in the White House provided coordination. Yet Richard Allen, then the national security adviser, points to the State Department; a later adviser, Robert McFarlane, has denied any knowledge of the Israeli arms sales.

Finding out what happened could finally resolve whether Iran exacted a secret quid pro quo for the release of 52 American hostages on the day of Mr. Reagan's inauguration. The idea is so repugnant that it was rejected for years by Gary Sick, a former National Security Council aide. But Mr. Sick has since changed his mind and now contends in a new book, "October Surprise," that such a deal did take place.

Some angrily dismiss Mr. Sick's allegations as unfounded slanders. If so, they can be dispelled by a Congressional inquiry able to subpoena logs and other records—an inquiry that Mr. Reagan and President Bush both say they would welcome.

Conceivably, the Israeli sales were unrelated to hostages. Israel might have been eager to renew old ties with Iran and assure the safety of Iranian Jews. Or, as Mr. Baker speculates, Israel's financial needs may have been a factor.

Yet suspicions persist. By 1984, Iran's allies in Lebanon were grabbing American hostages. A year later Mr. Reagan rashly approved the sale of arms to Iran to win the freedom or captive Americans, demonstrating a willingness to use weapons as ransom. Whether Mr. Reagan used U.S. arms to strike a quite different deal with Iran five years earlier deserves a responsible inquiry.

[Newsday Magazine, Dec. 22, 1991]

RESUME "OCTOBER SURPRISE" PROBE

With its dark plot and its unsavory characters, an unfolding political drama gets curiously by the day: That is the allegation that officials of the 1980 Reagan campaign struck a deal to delay release of 52 U.S. hostages in Iran until after the election. More curious still is the way official Washington has handled this explosive allegation.

One would think that a charge so serious, so fundamentally at odds with democratic and humanitarian principles and so crucial to our understanding of recent history would be swiftly investigated by appropriate authorities. Yet the House and Senate left town without setting up the promised investigating teams. They must renew the effort on their return.

In the House, to avoid a partisan slugfest, the Democratic leadership declined to bring up a resolution authorizing an inquiry. In the Senate, Republicans used procedural measures to kill a \$600,000 appropriation for the probe. To his credit, Sen. Terry Sanford

(D-N.C.), who heads the subcommittee authorized to carry out the investigation, is forging ahead anyway with limited Foreign Relations subcommittee funds.

Republicans claim the allegations are unfounded, part of a conspiracy to bring dishonor to the GOP. But if they're sure no deal was struck, why don't they allow a full-borne investigation to proceed? If Congress won't investigate the accumulated bits and pieces of evidence—some of its powerfully compelling—who will?

Former Carter administration national security aide Gary Sick and a host of journalists have looked into the murky circumstances surrounding allegations that, in the summer and fall of 1980, William Casey and other aides to Ronald Reagan held a series of European meetings with Iranian government representatives and go-betweens to set up a deal. The broad outlines are that the Reagan team arranged for the delivery of military equipment to Iran, which desperately needed it because of the U.S. embargo. Israel was the conduit. In exchange, the Iranians would keep the hostages until after the November election—assuring Republicans that President Jimmy Carter would not pull off an "October Surprise" and win the election based on the hostages' safe return.

Though two national magazines claim to have debunked the theory, their accounts do little more than cast aspersions on the character and truthfulness of individuals who claim knowledge of the scheme. It's true that the cast is full of players whose backgrounds are suspect. However, as the Iran-contra imbroglio proved, dubious characters people the world of covert action. Though their stories should be treated skeptically, the weight of their separate accounts, where they converge, must be taken seriously.

Sick's new book, "October Surprise," identifies many corroborating witnesses and circumstances that can't be dismissed as mere coincidence. The *New York Times* has weighed in with an account of how Israel, with the express—albeit secret—authorization of the new Reagan administration, shipped billions worth of U.S. arms to Iran immediately after Reagan was inaugurated and the hostages freed.

And what of President George Bush, who, some witnesses claim, was present for at least one of the clandestine European meetings? It's worth noting how the Bush White House responded. First, press secretary Marlin Fitzwater said: "Our position has always been that it never happened." Later, however, Bush merely disavowed his own participation, saying he could only speak for himself.

Meanwhile, the White House press office is keeping track of journalists who request the chronology of Bush's whereabouts during the October weekend in question, by asking them to write personal letters to obtain what turns out to be an abbreviated version of his campaign schedule. Secret Service files released under the Freedom of Information Act shed little light on his movements on one crucial date, Sunday, Oct. 19. Curiously, no documentation at all about Bush's whereabouts, or those of Casey, was offered by federal prosecutors at the 1988 trial of Richard Brenneke, who said he was a contract employee of the CIA with knowledge of the deal and, supposedly, Bush's participation in it. Brenneke was acquitted of perjury.

What went on in the summer and fall of 1980 between the Republican campaign apparatus and the Iranians? No one knows for

sure. Certainly, the answers cannot be gleaned by journalists operating without subpoenas or the ability to compel officials or others to testify. Only Congress has that authority.

If there was a plot to delay the hostage release, then a cabal of unelected, unscrupulous individuals manipulated U.S. foreign policy for their own ends. The constitutional process of electing a president was subverted, and the course of history altered. If there were such a treasonous deal, it's been covered up for more than a decade. Only an evenhanded congressional probe can expose this allegation as fact or fraud.

AN OPEN LETTER TO CONGRESSMEN THOMAS FOLEY AND ROBERT MICHEL AND SENATORS GEORGE MITCHELL AND ROBERT DOLE FROM FORMER AMERICAN HOSTAGES IN IRAN, JANUARY 31, 1992

DEAR SIRS: As the last American hostages return from the Middle East, questions regrettably still linger concerning allegations of foul play in the 1980 presidential election. These questions can only be settled finally by the United States Congress.

We therefore support the efforts of Congress to conduct a "thorough and fair inquiry" into allegations that our release may have been delayed by political partisans.

Threats of filibuster, attempts to vilify those who have done preliminary research, and reluctance to grant funds and power to the committees conducting these investigations appear as transparent attempts to turn from the necessary task of finding the truth, whatever that may be.

It is unacceptable to delay the investigation any longer because of political squabbling or premature judgements about the veracity of the allegations.

Although we sincerely hope the allegations can be proved false, the decision to move ahead can not be based on what we anticipate the outcome to be. We urge you—the leaders of Congress—to move this investigation forward and insure that dignity, rather than fear, will guide this process to a just conclusion.

Respectfully,

Bruce Laingen, Moorhead Kennedy, Charles W. Scott, William E. Belk, Kevin Hermening, Donald R. Hohman, Robert C. Ode, David M. Roeder, Barry Rosen, Philip R. Ward, Jerry Plotkin, Richard Queen, Alan B. Glacinski, William Royer, Billy Gallegos.

The SPEAKER pro tempore (Mr. OBEY). All time has expired.

It is now in order to consider the amendment printed in House Report 102-386.

AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Speaker, pursuant to House Resolution 303, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. MICHEL:

Strike all after the resolving clause and insert in lieu thereof the following:

That there is hereby established in the House of Representatives a Task Force of members of the Committee on Foreign Affairs to investigate certain allegations concerning the holding of Americans as hostages by Iran in 1980 (hereinafter referred to as the "task force").

FUNCTIONS

SEC. 2. The task force is authorized and directed to conduct a full and complete investigation of—

(a) Any attempt, or proposal to attempt, by the 1980 presidential campaign of then Governor Reagan, and/or the 1980 presidential campaign of then President Carter, or persons representing or associated with those campaigns, or the United States Government, to affect the timing of the release of the Americans held as hostages in Iran;

(b) Any attempt by then President Carter, or his Administration, to affect the timing of the release of the Americans held as hostages in Iran;

(c) Any actions taken to keep any attempt, or proposal to attempt, to affect the timing of the release of the Americans held as hostages in Iran, as described in (a) or (b) above, if any such attempts or proposed attempts took place, from being revealed to the Government of the United States or to the American people.

APPOINTMENT AND MEMBERSHIP

SEC. 3. (a) The task force shall be composed of 13 Members of the House who shall be appointed by the Speaker from the membership of the Committee on Foreign Affairs, one of whom he shall designate as chairman, and the minority members of which shall be appointed upon the recommendation of the minority leader.

(b) Any vacancy occurring in the membership of the task force shall be filled in the same manner in which the original appointment was made.

AUTHORITY AND PROCEDURES

SEC. 4. (a) For purposes of carrying out this resolution the task force is authorized to sit and act during the present Congress at such times and places within the United States, including any commonwealth or possession thereof, or in any other country, whether the House is in session (including while the House is sitting for amendment under the five-minute rule), has recessed, or has adjourned, and to hold hearings as it deems necessary.

(b) The provisions of clauses 1, 2, and 3 of rule XI of the Rules of the House of Representatives, shall apply to the task force, except that—

(1) no vote by any member of the task force may be cast by proxy; and

(2) the task force shall not delegate to the chairman the power to authorize subpoenas.

(c)(1) the chairman, upon consultation with the ranking minority members, may authorize the taking of affidavits, and of depositions pursuant to notice or subpoena, by a Member or by designated staff, under oath administered by a Member, there being at least two members of the task force present including at least one member and one staff person from the minority.

(2) Affidavit and deposition testimony shall be deemed to have been taken in Washington, DC before the task force once filed with the Clerk of the task force for the task force's use, and shall be deemed to have been taken in executive session.

(3) The provisions of clause 2(g)(2) of rule XI requiring a committee vote to close hearings to the public shall not apply with respect to the taking of affidavit and deposition testimony in executive session.

(d) Pursuant to its authority under House Rules to require by subpoena or otherwise the testimony of witnesses and the production of certain materials, the task force may use such authority to obtain any relevant intelligence materials, however classified,

White House materials of President Carter and President Reagan, campaign materials, materials of present and former government officials and materials pertaining to unvouchered expenditures or concerning communications interceptions or surveillance; and to obtain evidence in other appropriate countries with the cooperation of their governments.

(e) The task force shall be authorized to respond to judicial or other process, or to make any applications to court, upon consultation with the Speaker consistent with Rule L.

(f)(1) The task force shall provide in its written rules procedures for the protection of classified information from unauthorized disclosure.

(2) The task force shall provide other committees and Members of the House with access to information and proceedings, consistent with rule XLVIII, clause 7(c)(2); *Provided*, That the task force may direct that particular matters of classes of matter shall not be made available to any person by its members, staff, or others, and may impose any other restriction.

(3) The task force may require its staff to enter nondisclosure agreements, and its chairman, in consultation with the ranking minority member, may require others, such as counsel for witnesses, to do so.

(4) The Committee on Standards of Official Conduct may investigate any unauthorized disclosure of such classified information by a Member, officer or employee of the House or other covered person upon request of the task force.

(5) If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant unauthorized disclosure, it shall report its findings to the House and recommend appropriate sanctions for the Member, officer, employee, or other covered person consistent with rule XLVIII, clause 7(e), and any committee restriction, including nondisclosure agreements.

(6) Classified information received by the task force shall not be disclosed publicly by any Member, officer, or employee of the House, except pursuant to the procedure specified in rule XLVIII, clause 7(b) for which purpose the task force shall be the select committee to which the rule refers.

ADMINISTRATIVE PROVISIONS

SEC. 5. (a) Authorized expenses of the task force for investigations and studies, including for the procurement of the services of individual consultants or organizations thereof, and for the training of staff, shall be paid from the contingent fund of the House upon vouchers signed by the chairman and approved by the Chairman of the Committee on House Administration, except such payments may not exceed \$300,000.

(b) In carrying out its functions under this resolution, the task force is authorized—

(1) to appoint, either on a permanent basis or as experts or consultants, such staff as the task force considers necessary;

(2) to prescribe the duties and responsibilities of such staff;

(3) to fix the compensation of such staff;

(4) to terminate the employment of any such staff as the task force deems appropriate; and

(5) to reimburse members of the task force and its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties and responsibilities for the task force, other than expenses in connection with any meeting of the task force held in the District of Columbia.

(c) The task force and all authority granted in this resolution shall expire thirty days after the filing of the report of the task force.

(d) The task force shall be deemed a committee of the House for all purposes of law, including sections 6005, 1505, and 1621 of title 18, section 192 of title 2, 1754(b)(1)(B)(ii) of title 22, and section 734(a) of title 31, United States Code.

(e) The task force may request investigations, reports, and other assistance from any agency of the executive, legislative and judicial branches of the Federal government.

REPORT AND RECORDS

SEC. 6. (a)(1) The task force shall report to the House as soon as practicable during the present Congress but not later than six months after the date of adoption of this resolution, the results of its investigation and study, together with such recommendations as it deems advisable.

(2) Not more than 45 days prior to the expiration of the six-month period referred to in paragraph (1), but prior to the expiration of such period, the task force may file an interim report detailing the progress made to date, the costs incurred by the inquiry, and the need for extending the inquiry.

(3) At any time after the filing of such interim report it shall be in order in the House to consider as privileged a resolution introduced and offered by the chairman of the task force, or his designee, extending the period of the inquiry to a date certain which shall be specified in the resolution. If the resolution is adopted the task force shall have until the date specified in the resolution to file its final report. If the resolution is not adopted, the task force shall file its final report as soon as practicable thereafter but in no event later than 15 calendar days after such vote.

(b) Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

(c) Any such report shall be referred to the committee or committees which have jurisdiction over the subject matter thereof.

(d) The records, files and materials of the task force shall become the records of the Committee on Foreign Affairs except for those records relating to intelligence matters which shall become the records of the House Permanent Select Committee on Intelligence.

Mr. MICHEL (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. MICHEL] will be recognized for 15 minutes and the gentleman from South Carolina [Mr. DERRICK] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. McEWEN. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am happy to yield to my friend, the gentleman from Ohio.

Mr. McEWEN. Mr. Speaker, I thank the gentleman for yielding.

The point made by the previous speaker was he could not understand

two things. No. 1, why the intensity of our opposition and why we should not consider Mr. Carter.

The strong position of this side of the aisle has been a free and open discussion of both sides, and the degree to which they are unwilling to look at the Democratic President and his campaign staff is the degree to which it arouses intensity on our part that this is obviously a partisan inquiry.

Mr. MICHEL. I thank the gentleman for his contribution. May I take this opportunity to applaud him and commend him for the manner in which he acquitted himself all during the course of this debate from the very beginning.

Mr. Speaker, I obviously rise in support of the substitute I have offered. As I have told the Speaker from the very beginning of our consideration of this item, that I did not think an investigation was warranted. In my view, the majority is offering an unacceptable resolution for an unnecessary investigation into unbelievable allegations based on unsubstantiated claims made by unsavory characters. Now that ought to sit well with you, Mr. HYDE. That is about the way you would say it.

But we in the minority know the realities in this House. The silken glove of civility hides the iron hand of power. But we owe it to the House and to the American people to say we think this investigation is ill-advised.

First, the accusations fail to meet minimum standards of credibility. That is not just our opinion. Objective outside observers share that, as was shown here on the screen earlier, and the statements particularly by Newsweek magazine: " * * * the key claims of the purported eyewitnesses and accusers simply do not hold up. What the evidence does show is the murky history of a conspiracy theory run wild."

And as the New Republic showed, " * * * the conspiracy as currently postulated is a total fabrication. None of the evidence * * * stands up to scrutiny. * * *"

In short, Mr. Speaker, the claims of the conspiracy theorists have not reached the threshold of credibility necessary for our attention.

And second, the investigation will take up time and energy better utilized for urgent problems. And of course, as has been alluded to, but I have to repeat it again, here we are in the midst of a recession, and unemployed Americans look to us for action but the majority wants to spend 9 or 10 months and millions of dollars investigating an 11-year-old story, the kind you find in the supermarket tabloids.

What will the majority do when an unemployed American asks what the House is doing to help the economy? All the majority can say is: "Hey, we are looking into an 11-year-old allegation made by convicted gunrunners and other weirdos." Well, let the majority

tell an unemployed parent of six to take a conspiracy theory to the grocery store and see how much it will buy.

But as I said, the majority controls the proceedings around here. So we have no other recourse than to offer our substitute which differs from the base bill in four important ways.

No. 1, it conducts a full inquiry into any attempt by the 1980 Reagan campaign or the Carter administration or campaign to affect the timing of the release of the hostages.

No. 2, it expends no more than \$300,000.

The third point, file a report no later than 6 months after the adoption of the resolution.

And the fourth, very important, abide by the rules of this House.

If I might take just another moment or two to expand, if I may, on only the first point. Our substitute would require the task force to investigate the secret arms deal President Carter attempted to make with Iranian terrorists during the 1980 Presidential campaign.

The majority's strict party line vote in the Rules Committee refused to accept such a provision in its resolution. What Carter actually did is, under the Democrat resolution, off bounds to investigators. What Reagan aides allegedly did is all that matters.

Now that gives Members some idea of the partisan issue the majority has made of this.

The distinguished gentleman from Indiana [Mr. HAMILTON] a few moments ago argued in defense of the majority resolution that President Reagan himself has called for an inquiry into these allegations. That is correct. But it is like saying a man who has been smeared with unendurable filth agrees to jump into the first available pool of water. It does not mean he believes the water is clean.

No corroborating evidence of the conspiracy theory was found after an investigation by the General Accounting Office, an investigation secretly begun and, incidentally, directly guided by the majority itself. The secret investigation by the majority is yet another example of that raw power that exists in this House.

The only reason this investigation is being held is that the allegations come from those who hold politically correct conspiracy views of the left. I guess you know that. I know that. The American people know that.

Mr. Speaker, this investigation is only the latest piece of evidence to demonstrate why this institution, frankly, desperately needs a complete overhaul.

I guess let your games begin. But do not expect us to applaud.

I would urge a vote for our substitute, which at least officially recognizes the existence of President Jimmy

Carter, something that our Democrat friends would love us to forget.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MICHEL] has consumed 6 minutes.

Mr. DERRICK. Mr. Speaker, I yield 2 minutes and 15 seconds to the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, there will be no victors on this floor tonight. This is a judgment that no one wants to make, but there is a responsibility in this House. There is a responsibility not simply to prove the things that might have occurred, but indeed to make clear to the world that if they did occur that that blemish is not a part of our history either.

The facts, as they now appear to us are clear. Allegations have been made which would convince a foreign government during a future American election that it is fair game to deal with a political campaign and manipulate the American political process.

That impression has been left with them whether the charges are true or they are false. That brings a responsibility to this House to either establish that these things never occurred or, by virtue of finding those responsible and exposing them, make clear that it will never happen again.

I do not come to this floor having reached any conclusion. Comparing the credibility of some who would make the charges and senior officials of this Government, the benefit of every doubt belongs with those who have led our country.

But it is of service to no one that the charges are never answered, to those hostages who have written to this House writing about a trauma in their own lives asking that answers be provided, to Jimmy Carter, who saw his Presidency torn asunder; to Jimmy Carter, to Ronald Reagan, who have had their own integrity questioned; they deserve an answer.

Support the resolution.

I know the intentions of the gentleman from Illinois [Mr. MICHEL] are sound, but the 6-month deadline will only convince those who have answers to withhold them the 6 months.

Support the resolution as it is offered. Find an answer and make the record clear.

Mr. MICHEL. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Speaker, I thank the gentleman, the Republican leader, for yielding me this time.

Mr. Speaker, I think the only honorable, decent thing to do here is to support the Michel amendment.

I just want to touch on one aspect of this that really enters the field of science fiction and make my case that this is the decent way to go, because to tell you the truth, and I mean this sincerely, I am embarrassed for some of the best friends I have made on the other side of the aisle for 6 exciting and fascinating years that I served on the Committee on Foreign Affairs before I shifted to the Committee on Armed Services, some of the most distinguished Members of this House who I think, quite honestly, have been given dirty duty here, a rotten detail to pursue a 12-year-old story that is filled with so much ignominy that it really hurts them and it hurts me personally to see them hurt themselves.

Let me take a specific: Former lifelong dedicated public servant George Bush is a candidate with former Governor Ronald Reagan in October 1980, and to make him disappear from the campaign trail, Gary Sick and all of these other strange names I am going to talk about for a second here, they had to put him in an SR-71 Blackbird, to spirit him back on a secret Air Force mission from Spain which means you bump the navigator out of the back seat of an SR-71.

Now, I would ask all of my Democrat colleagues to talk to the gentlewoman from Maryland [Mrs. BYRON] on your side, a distinguished lady Member who is the only Member on your side of the aisle that I know that has flown in the SR-71 Blackbird as the gentleman from Arizona [Mr. STUMP] and I have on this side.

To fly in that aircraft, the Air Force said to all three of us,

You must give us 3 days out of your lives to fly about 8 hours in a simulator and to undergo a whole day of training and physiological studies so that you do not die at 82,000 feet going mach 3, if you lose your oxygen, or something happens to your helmet or you get an unstart or there is a crack in the canopy.

Now, can you imagine George Bush, 12 years more vigorous, and taking him in the back seat of an airplane that is going to go mach 3 across the Atlantic against the jetstream at over 80,000 feet and not have somebody in the Air Force say, "Yes, I saw him get in and out of the world's most exotic airplane that holds every speed and altitude record?" There is the equivalent of going that high physiologically on your body, and it is like going 10,000 feet down in a bathysphere. Why does not Gary Sick say, "They put George Bush in a bathysphere and dragged him across the Atlantic 10,000 feet under the water and subjected his body to the exact opposite pressures without an hour's worth of training?"

This is such a sick story that it defies my comprehension that the majority leadership in this House has fingered some of the best men in this House on Foreign Affairs to do this dirty work.

Look at this name, Barbara Honneger, who wore the bunny suit at a White House affair, some lower level campaign worker, the one who channeled voices and heard that Ronald Reagan would lose in 1984.

I am going to put all of this in the RECORD on Barbara Honneger, Richard Brenneke, and these two Iranians, Ari Ben-Menashe and Jamshid Hashemi.

Shame on you people for listening to these jerks that the New York Times says are all pathological liars. It will all be in the RECORD. Read it, America.

BARBARA HONNEGER

First source to claim direct October Surprise knowledge, saying that an unnamed Reagan aide said a deal was cut. (Newsweek, New Republic)

Self-claimed believer in paranormal events. (New Republic)

Left low-level Reagan administration job after receiving message from channeled voices that he would lose the 1984 election. Wrote an October Surprise book in 1989. (New Republic)

RICHARD BRENNEKE

Claimed to be an 18-year-CIA operative who had also worked for Israeli Mossad, FBI, French, and Italian intelligence. (Newsweek, New Republic)

Main source for later discredited NY Times Davenport project story detailing billions in arms sales to Iran. The NY Times reporters later described him as an absolute liar.

Original source for story that the CIA and Israel were flying arms to Contras, and funding it with drug sales in the U.S. Senate Foreign Relations staffer Jack Blum, who met with him for hundreds of hours, to conclude Nothing he said was true. (New Republic)

Claimed to have supplied the United States military with Iranian intelligence needed to bomb Libya in April 1986. (New Republic)

Original source of the claimed October 1980 meetings in Paris with Casey, Bush and Iranians. Later proven through credit card records and receipts that he was in the United States at the time of the alleged meetings which he claimed to witness. (Newsweek, New Republic)

ARI BEN-MENASHE

Claimed that he turned down offer to head the Mossad. (New Republic)

Surfaced as an October Surprise source in 1990 after landing in federal prison on charges of attempting to sell transport planes to Iran. (Newsweek, New Republic)

Former CIA officer Victor Marchetti says Ben-Menashe "is a liar", and Washington Post reporter Mark Hosenball says "Ben-Menashe is a con man. He's a nasty [expletive]." (Esquire)

Claims to have led a six man Israeli team that helped set up the October 1980 meetings with Casey, Bush, Robert Gates and Iranians.

Note: None of the other sources have ever mentioned Israeli involvement, Ben-Menashe, the hotels or dates he cites. (Newsweek, Esquire, New Republic)

Claimed to have placed a homing device at the Osirak nuclear plant in Iraq needed for the Israeli bombing attack. (Newsweek)

Claimed to have blown up the control tower at Entebbe. (Newsweek)

Former wife has said "He lives in an imaginary world. Anyone who counts on him will be misled..." (Newsweek)

JAMSHID HASHEMI

Younger brother of Cyrus Hashemi, an Iranian arms dealer who played some role in ar-

ranging meetings between the Carter administration and Iranian officials during hostage crisis. (Newsweek, New Republic)

Although under indictment by U.S. for arms smuggling in 1984, and repeatedly trying to broker a deal with U.S. officials from 1984 to 1986, neither Hashemi brother ever claimed any knowledge of an October Surprise, even to their lawyer, Elliot Richardson. (Newsweek, New Republic)

A CIA cable acquired through the Freedom of Information Act describes the Hashemi brothers thus: "Cyrus is only less sleazy than his notorious brother Jamshid who is con artist par excellence and is candidate for scam of the month championship." (New York Times)

Mr. DERRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Speaker, I rise in support of this resolution. Mr. Speaker, it is high time that we learn the truth about October Surprise. Allegations that the 1980 Republican Presidential campaign delayed the release of the Americans held in Iran must be laid to rest. We must know the truth.

We need to shine the spotlight of truth on this matter so that we can put it behind us. The American people have a right to know whether the electoral process was tainted. We need to know whether people were held against their will in order for some to achieve political gain. We have a right to know.

This investigation will not be a witch hunt, but a search for the truth. Too many people have raised important questions and concerns. We have a responsibility and a moral obligation to do our very best to find answers.

Several of the Americans that were held in Iran have requested that we investigate. They truly hope the charges are proven false. But, they urge us to move ahead with this investigation.

To sweep these concerns under the rug would not be right. Let us be fair and ask for the truth. Let us use this investigation to take all of the cards from under the table and place them face up on the table. We owe it to the American people.

Mr. DERRICK. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Speaker, hearing some of my friends on the other side of the aisle, I am reminded of the scene in the great film "Casablanca" starring Humphrey Bogart, which takes place in North Africa in 1942, when the police chief, played by Claude Rains, enters Rick's Cafe and says, "I'm shocked, shocked to find that gambling is going on here."

Mr. Speaker, listening to my friends on the other side of the aisle, I am shocked, shocked to discover that the Republican Members of the House are opposed to this resolution and the establishment of a task force to look into the allegations concerning the October Surprise. We are, after all, dealing with serious allegations here. Around a dozen individuals, Iranians, Israelis,

Americans, many of whom do not know each other, have all claimed that they have evidence that agents of the Reagan campaign in 1980 were engaged in direct negotiations with the Iranian Government in an effort to persuade the Iranians to keep the hostages hostage.

Precisely because of the seriousness of these allegations which, if true, border on being almost treasonous, President Reagan has asked us to conduct an investigation into this affair.

□ 2110

President Bush has asked us to get to the bottom of the affair. Many of the hostages have written to us urging us to proceed with this investigation so that they can find out what actually happened in the fall of 1980.

I strongly suspect that with an adequate investigation these allegations can be laid to rest. I know from some of my good friends on the other side of the aisle that there have been articles in magazines like *Newsweek* and the *New Republic* written by authors who have looked into these charges that say they are based on fantasy and fiction. Maybe they are right, but you know and I know that journalistic inquiries are no substitute for a congressional investigation. Journalists cannot depose or subpoena witnesses. They are not in a position to put them under oath, and if we are going to get to the bottom of the story, if we are going to ultimately lay it to rest, the only way to do it is through the kind of investigation embodied and called for in the resolution before us.

I urge its adoption.

Mr. MICHEL. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Speaker, I thank my leader for yielding me this time.

First let me say to the leader's substitute, it is very, very apparent that there is a need to put some kind of limitation upon this proposed investigation into a thing called the October Surprise.

In the final analysis, it is clear to anybody who has paid any attention to this that there are those who see some significant partisan advantage out of this kind of investigation. In the final analysis, it has its predicate that the people are fundamentally stupid. The American people are not ignorant. They will see through this for what it is.

In the final analysis, no matter whether they agree or disagree with Ronald Reagan, they do not believe that fundamentally he was a corrupt individual.

Indeed, the premise is wrong, friends, and it is going to catch up with you; but I would like to speak for a moment about some in-House things. I had

hoped that my colleague, the gentleman from California [Mr. FAZIO] would be on the floor, because this whole process is raising some serious questions about the way we run the House, and I want to address that for just a moment.

I would ask this question. How are we going to pay for this investigation, with no limitation whatsoever, presumably out of the funds that come from my Subcommittee on Appropriations?

There have been rumors rampant around the place for some time that there was a slush fund that the Speaker had somewhere. We have always suggested there was not a slush fund.

Well, friends, last year when the appropriations bill went forward, a minor amendment was placed in the bill quietly that said any funds left over from your accounts would accumulate until suspended. I suppose that contingency fund will be used to pay for this investigation, whether it costs half a million, \$2 million or \$5 million or \$10 million. I am sure we would not call it a slush fund. It is obvious, however, that it is for partisan purposes.

I would suggest we are long past the point where we spend time on this kind of activity that calls back to 10 years ago and let the people have a clear idea of what the sunshine might do if we take a hard look at what is going on in this House. The corruption in this House today is the question. Fundamental reform is called for.

It is time that we rethink the process we use whereby we reprogram money in our committee, and I think my chairman now knows that I intend to carefully do that.

Mr. DERRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, our focus here is very simple and I think you have to understand the differences in responsibility, and again some of it has been evident today.

When you draft this proposal, you have to make sure that it is operational. The worst that we could do is go through this process, have it tied up in knots by legislative maneuvers and then through some arbitrary deadline not be able to complete our work. If we do anything here, we may not be able to succeed, but we ought to give the American people a fair chance at trying to get at the bottom of this information. If that takes going past a certain hour or minute in June or July or November or December, we ought to do it until the end of the Congress.

Now, people have talked about there are more important things to do. I am at the leadership of that list.

We should not have taken all day to go through a simple resolution to do the work that the hostages and a number of Presidents want us to do, but the people on the Republican side of the

aisle, using their rights in the rules, have taken what would have been a 1-hour debate on the rule, a fight, maybe an hour-and-a-half, and stretched it through the entire day.

I think that is a lesson why we on the Democratic side are so concerned about what the document says, because if we make it impossible for the staff to question a witness unless we go through a chain of events that takes up 1, 2, or 3 weeks, if we prevent the committee from taking the kind of action to get to the root because one Member on one side or the other decides they want to delay the process. We want to get to the bottom of this.

I do not think there is a Member in this House of Representatives who has greater respect than the gentleman from Indiana [Mr. HAMILTON]. When you look at the committees he has chaired, I do not think there is a Member of this body, Republican or Democrat, who can come out this well and say that he rolled over their rights.

The majority in this Congress is more cognizant of the rights of the minority than any legislative body on the face of this Earth.

Mr. Speaker, I would ask my colleagues to defeat this motion.

Mr. MICHEL. Mr. Speaker, I yield the balance of our time to the distinguished gentleman from New York [Mr. SOLOMON].

The SPEAKER pro tempore. The gentleman from New York is recognized for 3½ minutes.

Mr. SOLOMON. Mr. Speaker, I have been here for 5 hours listening to this debate. I am reminded of the politician, maybe he was a Congressman, who was invited to address the inmates at a prison for the criminally insane. He got there and he held up his arms and he said, "Why are you here?"

And a little voice way out in the yard said, "Because we are not all there."

My friend, the gentleman from Indiana [Mr. HAMILTON], and he is a friend, ended his debate by saying that he cannot understand the intensity of why we on this side of the aisle do not want to form this task force.

Let me just read you one letter of thousands that were received by many Members of Congress after a hearing was held back in November. This particular one, just by coincidence, happens to be addressed to Mr. HAMILTON. This is a copy and I think he has seen it. It says:

OCTOBER 31, 1991.

October Surprise Hearings.
Hon. LEE H. HAMILTON,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN HAMILTON: Is there no end to the way you will continue to waste taxpayers monies???

Why in the hell would you, as a supposedly astute Member of Congress, chase a rabbit such as this???

Do you not have anything else to do than pursue rumors of some author who will make millions off of your proposed fiasco???

To put it quite bluntly, who gives a damn??? Do you have a hoard of constituents pressing you on this matter???

This issue is 10 years old; Carter and Reagan are history. Is it any wonder that the American public wants to restrict terms limits on Congress???

Why are you not pursuing such important issues such as reducing the deficit, national health care, releasing highway and airport trusts fund monies and reducing restrictions on the business community???

When you get done spending our tax monies on this issue, I wonder if you could also finance the exhuming of Huey Long's body???

Tell me that this is just a Halloween joke!!!

It would be nice if just once your august body could show some semblance of common sense in your pursuit of government and, if you have just got to get to the so called truth, then spend your own damn money, NOT MINE.

Sincerely,

ROBT. W. HAINES,
14013 W. 48th Terr.,
Shawnee, KS.

There are, incidently, hundreds of these letters.

You know, this citizen is so right.

Let me just say this on behalf of the taxpayers we all represent on both sides of the aisle. I hope we will support the Michel substitute, because it will only spend \$300,000 instead of \$3 million or some open-ended sum of money.

Probably this whole thing could be summed up by what was said in Newsweek magazine: "This is probably one of the largest hoaxes and fabrications in modern American journalism."

That was said by a Bob Woodward investigation; it did not cost the taxpayers a nickel.

The Derrick bill before you provides for unlimited expenditures of taxpayer dollars. It funds unlimited expense accounts for staffs, God knows who they are going to be, to travel all over the world. It provides for unlimited travel authority and unlimited staff. But the Derrick bill refuses to include the Carter administration within the scope of the investigation. And not only that, after the bill was introduced, it was amended.

It now says no, absolutely no Carter investigation. Democrats refused to even consider it.

□ 2120

The GAO says—Members ought to listen to this seriously if they want to cast a reasonable vote—the GAO says,

A thorough investigation of allegations would require an understanding of the context in which the events occurred, including the state of relations between the United States and Iran, particularly the nature and extent of any negotiations between the [Carter] Administration and the Government of Iran.

Mr. Speaker, the GAO is right. If we do not include Carter, we cannot have a thorough investigation. All we have got left is a witch hunt. Is that what

we want? That is why the Michel substitute should be adopted, because it includes Carter administration activities in the investigation. And what is wrong with that? The Michel substitute limits the cost to \$300,000. And what is wrong with that? It limits the length of this inquiry to 6 months and requires the task force to adhere to rules that are the same as we use to operate within this House. And it saves the taxpayers millions of dollars.

Support the Michel substitute.

Mr. DERRICK. Mr. Speaker, I yield the balance of my time to the distinguished majority whip, the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, I want to first of all commend the fine job that my colleague, the gentleman from South Carolina [Mr. DERRICK], has done, and the gentlemen on the Committee on Foreign Affairs, the gentleman from Florida [Mr. FASCELL] and the gentleman from Indiana [Mr. HAMILTON], for the work they have done on it.

Mr. Speaker, the subject we are considering today is clearly not a pleasant one.

None of us wants to entertain the notion that any American—much less a candidate for the Presidency of the United States—might have delayed or interfered with the release of our hostages in Iran.

How could any American have conspired to lengthen the ordeal of those held captive in Teheran?

It's hard—and it is painful—to imagine.

But this evening, we must vote to authorize a full investigation of these charges.

Too many allegations just won't go away.

Too many questions remain unanswered.

Too many issues are still cloudy.

The charges are very, very serious:

There were 52 American lives at stake. A Presidential campaign may have tampered with the essence of the democratic process itself—using these hostages to manipulate the 1980 elections.

We owe it to the hostages—we owe it to the American people—and we owe it to history—to set the record straight if we can. And we are the only ones who can.

We do not want to find ourselves—10 years from now—answering charges that we in Congress did not at least try to find the truth.

Former President Reagan said he wants the air cleared and former President Carter has called for an investigation;

So have editorial writers all across the country.

And most important, so have the former hostages themselves.

They have called on Congress to investigate.

The people who were most directly affected—the people who spent 444 days in appalling conditions of captivity in Iran—they have called on us to stop the squabbling and get to the bottom of this.

Listen to what a dozen former hostages wrote just last week:

Although we sincerely hope the allegations can be proved false, the decision to move ahead cannot be based on what we anticipate the outcome to be. We urge you—the leaders of Congress—to move this investigation forward and insure that dignity, rather than fear, will guide this process to a just conclusion.

This should not be a partisan issue. "I'm a Republican," wrote one former hostage, Moorhead Kennedy, "and I want to know exactly what happened." He urged the Republican party to take the lead in investigating the charges.

I hope that my colleagues on the other side of the aisle will listen to the pleas of these former hostages.

Each and every one of us hopes these allegations are false. But that hope does not absolve us of the responsibility to find the truth.

Only then, only then, can we put these troubling allegations to rest—once and for all.

Mr. HAMILTON. Mr. Speaker, I rise in opposition to the Michel substitute to House Resolution 258.

I oppose the Michel substitute for three reasons.

SCOPE

First, the substitute improperly defines the scope of the proposed investigation.

House Resolution 258 authorizes an investigation into the activities of the Reagan campaign—and not on the Carter administration—for a simple reason: There is evidence of hostage-related misconduct by individuals associated with the Reagan campaign.

Whatever one's judgment of President Carter's performance during the crisis, there is no doubt he was constitutionally empowered to conduct U.S. foreign policy. Contacts between unauthorized private citizens and Iran could be illegal. There is an important difference between the two.

TIME LIMIT

Second, the Michel substitute should also be opposed because of the 6-month time limit it would set on the proposed investigation.

Nobody wants this investigation to drag on indefinitely—and it won't. But a rushed investigation, or an investigation terminated before significant lines of inquiry have been pursued, would be a flawed investigation. A flawed investigation might fail to put these allegations to rest. And that would be in nobody's interest, not least those who have been accused of wrongdoing.

Setting a deadline for this investigation before it begins would be unwise.

First, the facts we will be pursuing, and the difficulty of determining them, simply cannot be known in advance.

Second, this investigation will be very complicated logistically:

Some task force investigators may need security clearances before they can begin work, and clearances can take time.

The task force will also probably request extensive document searches by several U.S. Government Departments, and these can also take time.

Investigating these allegations will require us to make inquiries and examine evidence around the world. We will be seeking the cooperation of several foreign governments, and that will also take time.

We would all be very pleased to see this matter wrapped up in 6 months. House Resolution 258 requires us to report to the Congress on the status of the investigation by July. The House will have an opportunity then to judge whether we have used our time wisely. But if the House wants our investigation to be thorough and effective, it should not tell us before we even begin just how long we can take.

RULES AND PROCEDURES

My final reason for urging Members to oppose the Michel substitute is because it provides for rules and procedures that would severely hamstring the investigation.

The procedures proposed in the Michel substitute are a recipe for an ineffective investigation. The Michel substitute would, in fact, deprive the task force of the same tools we have given other congressional investigative bodies.

First, requiring a majority vote for each subpoena would be extremely time consuming and difficult to arrange. It would be impractical.

It has been common practice in special congressional investigations to give the chairman responsibility for issuing subpoenas. Legislative committees do not normally conduct investigations, so House rules require them to vote to decide whether to subpoena a witness. But a specially created investigative body has already been asked to investigate something. Its very creation implies that subpoenas will be a necessary and frequent tool of its work.

House Resolution 258 requires the chairman of the proposed task force to consult with the ranking minority Member on subpoenas. I have promised Congressman HYDE, the ranking Member-designate, that I will consult closely with him on all aspects of this investigation.

We operated under similar rules during the Iran-Contra investigation. I worked very closely with the ranking minority Member of the House Iran-Contra Committee, Congressman CHENEY, and the ranking minority Member of the House Intelligence Committee, Congressman, STUMP. We reached agreement on all occasions.

Second, requiring a majority vote to close task force hearings would be impractical and unrealistic. The quorum for a hearing is two members. As my colleagues know, it is possible that only two members may be present at some hearings. These two members must be able to function as the task force. They must be able to order hearings closed.

Some matters before the task force will involve intelligence or other sensitive information. We cannot function effectively if two members participating in a task force hearing cannot order the session closed to discuss—and to protect—classified information.

Third, requiring Members to be present for all depositions is also impractical and unrealistic.

Given the character of the October Surprise allegations, depositions will probably need to

be taken around the United States and perhaps abroad. Members' schedules being what they are, it would be nearly impossible to arrange for two members to be present at all depositions. Requiring two members to attend every task force deposition—no matter how far-flung—would be duplicative, logistically difficult, and would significantly restrict the number of depositions that could be taken. Nothing would hamper the task force's effectiveness or inflate its cost more than such a requirement.

Minority staff attendance at depositions is standard practice for congressional investigations. It will be the standard for this investigation as well. Minority members of the task force will be notified of all depositions sought by the majority, and I would expect the minority to do the same. The minority will therefore have an opportunity to participate in all depositions.

Mr. Speaker, by specially empowering its investigative bodies, Congress enables them to conduct investigations more effectively, more expeditiously, and perhaps less expensively than can our standing subcommittees.

The rules and procedures provided for in the Michel substitute would substantially hamper the task force's investigation. A weak investigation would be in nobody's interest.

I urge Members to vote against the Michel substitute.

Mr. LAGOMARSINO. Mr. Speaker, I rise in support of the Michel amendment and in opposition to the resolution if it is not adopted.

The American people want constructive action on the economy, health care, crime, and drugs. They want Congress, which they hold in low esteem—for good reason—to cut out needless and wasteful Government spending, not to throw millions of dollars at a problem that doesn't exist.

What the American people are seeing here today is an example of the way Congress acts for purely partisan reasons.

It is well to remind the people that the Democratic Party controls this House—has done so for 40 years, today there are 50 more Democrats than Republicans in the House.

All of the scandals of the House that the people are so upset about—bank checks, House restaurant bills, post office shenanigans, et cetera—have all been carried out under Democratic rules and control.

Mr. Speaker, I just don't see how the Democrats can think an investigation can be carried out of the October Surprise without looking into the activities of the Carter administration.

Mr. DERRICK. Mr. Speaker, I rise in opposition to the Michel substitute.

The House should reject the gentleman's amendment because it would doom this investigation before it even started. If the House wants to kill this investigation, then it should just kill it outright and save the gentleman from Indiana [Mr. HAMILTON], the gentleman from Illinois [Mr. HYDE], and the other members of the task force a lot of time.

The gentleman from New York [Mr. SOLOMON] offered essentially this same amendment in the Rules Committee, and the committee saw right through it. I trust the House will see through it as well. Let me address the major points raised by the proponents one by one.

The Michel substitute seeks to impose a 6-month time limit on the investigation, after

which the House could vote to extend it if warranted. This provision is unnecessary and counterproductive for several reasons.

First, the Hamilton resolution calls for an interim report to the House by July 1, 1992, detailing the status of the investigation; the House can at that time—or even before—terminate the task force if it so chooses.

Second, we ought to learn from our experience with the Iran-Contra investigation. The Iran-Contra probe was subject to a time limit, and some of its Members have told me its work remained largely undone because of the pressures of that time limit.

Moreover, there are obviously some, in Congress and out, who want no investigation at all. Imposing a time limit provides opponents the opportunity to stymie the investigation merely by resorting to delaying tactics.

Finally, Mr. Speaker, we ought to learn from the evidence produced at the minority's own hearing on the resolution before the Rules Committee. At that hearing we heard testimony from seasoned General Accounting Office [GAO] investigators who had looked into one limited aspect of these allegations—the Brenneke allegations about a Paris meeting. I would remind the Members that in 1990 the Government tried and failed to convince a jury Mr. Brenneke's allegations were false.

The GAO investigators testified that their limited inquiry consumed some 85 staff days over 6 months and reached no conclusion, primarily due to the refusal of certain officials to cooperate.

Mr. Speaker, if an established investigatory agency like the GAO could not resolve one small aspect of the allegations within 6 months, a task force which does not yet exist has little chance of completing a much larger investigation within that time. But I would suggest that the lack of a 6-month time limit does not mean the probe will necessarily take longer than 6 months; it could end within weeks if the task force quickly finds conclusive proof in the negative.

The Michel substitute would also conform the task force, in most particulars, to the rules applicable to House committees, and thereby restrict the panel's flexibility in conducting depositions, subpoenas and closing meetings and hearings. Yet, inexplicably the Michel substitute would deny the task force the privilege of proxy voting, which is available to House committees.

House Resolution 258 reflects a well-crafted approach to the unique duties this task force will face. The task force may have to depose literally hundreds of witnesses, many of them only after subpoena. The normal two-member deposition requirement, coupled with requiring a task force vote to authorize subpoenas, would render that virtually impossible. The task force may have to travel overseas to conduct sensitive business; requiring a majority present to close a meeting would dramatically increase the costs of the investigation in that event, a result likely unforeseen by the proponents of the amendment.

With regard to proxy voting, I see no reason a task force of members of the Foreign Affairs Committee should be denied proxy voting, when those same members can vote by proxy in the Foreign Affairs Committee itself. Besides, none of the task force members will be

relieved his other duties because of his service on this panel. Denying proxy voting would do nothing but make it more difficult for the task force to work. I believe it is best to let the task force members decide in which committees to vote by proxy, and in which to vote in person, where their meeting schedules conflict.

Finally, the substitute seeks to include within the scope of the investigation the activities of the Carter administration and campaign to secure the release of the hostages. If ever there were a red herring raised on this floor, this is it.

Jimmy Carter was the duly elected President of the United States in 1980. President Carter bore the responsibility under our Constitution to conduct U.S. foreign policy.

Whatever President Carter did officially to secure the hostages' release is utterly irrelevant other than to understand the context of the allegations. To that extent, I do not see how the task force could avoid looking into the Carter administration's activities whether we require it or not.

But more importantly, I know of no allegations that the 1980 Carter campaign in any way attempted to interfere with our Government's efforts to secure the hostages' release—other than the allegations made by the gentleman from Ohio [Mr. McEWEN] during the Rules Committee's markup of this resolution.

While I certainly respect the gentleman from Ohio, I do not believe the task force should expend valuable time and money chasing down Mr. McEWEN's allegations about the Carter campaign.

In short, Mr. Speaker, the task force needs additional flexibility to do its job quickly, efficiently, and economically. This flexibility is reflected in House Resolution 258. The Michel substitute advances no policy goal other than impeding the task force's efforts to reach the truth. I urge the House to reject it.

Mr. Speaker, I yield back the balance of my time.

Mr. FASCELL, Mr. Speaker, I rise in support of the pending resolution creating a task force to investigate allegations that a delay of the American hostages in Iran in 1980 was the result of a deal between private American citizens and those in Iran who were holding the hostages.

These allegations have been illuminated in press stories, television shows, documentaries, speeches, and editorials in increasing numbers during the past 1½ years. A serious book, written by a credible, respected scholar who served at the National Security Council under three Presidents, is now in the bookstores throughout the Nation. The American public understands the serious nature of these charges and the American public deserves to know whether they are true. We owe this investigation to each former hostage. Spending 1 minute in captivity if earlier release was possible is unconscionable.

The answers to the questions raised by these allegations can only be found by a comprehensive, professional, congressional investigation. Any person having any knowledge on this subject must be put under oath.

These charges have never been investigated by any official body up to this point.

The Iran/Contra Committee, of which I was a member, did not investigate this matter even

though some of these allegations were raised at that time. It was beyond the scope of our inquiry, no witnesses were deposed, no testimony was taken, no documents were subpoenaed. The Iran/Contra Committee did not investigate these serious, far-reaching allegations.

The Tower Commission, which was in business for only a few weeks, did not look into this matter at all. Known formally as the President's Special Review Board, its mandate was to study the involvement of the National Security Council in the Iran/Contra affair. It covered the period from 1984 to 1986. It did not, contrary to some assertions, look into the so-called October Surprise allegations.

The independent counsel likewise was mandated to look into criminal wrongdoing during the period of the Boland amendment and its aftermath. To look into this matter would be beyond the scope of the authority of the independent counsel. Again, the independent counsel did not investigate allegations about the October Surprise.

The General Accounting Office, upon the request of another Member of this House, examined the results of a Federal criminal trial which—in a surprising result—failed to convict a man who had alleged that Donald Gregg and Bill Casey met with Iranians in Paris in October 1980. The man also alleged that he had been told that George Bush was also there. The Federal prosecutor, who reopened this whole matter by bringing the charges in the first place, simply could not prove the whereabouts of Donald Gregg, Bill Casey, or George Bush on a particular weekend in October. The GAO investigation looked into the matter to find out why the whereabouts of three such prominent people could not be determined on that particular weekend. The GAO also failed to determine the whereabouts of these three individuals on that particular weekend. The Federal prosecutor refused to cooperate with the GAO as did the Secret Service. For that reason, the investigation was dropped—not completed, dropped. There was no report issued at the conclusion of their work since their access to key Government officials was blocked.

Mr. Speaker, it is time that these allegations be laid to rest. It is time for the American people to know the truth. At this late date, it may be difficult, perhaps impossible, to secure all of the facts. People have died, evidence has disappeared, records are no longer kept. Yet many of those allegedly involved are still alive, are still around and can be called to testify. Some records do exist. Some evidence is probably still around. We may not be able to prove whether this happened or did not happen but we have an obligation to try. Congress has oversight responsibility. It has an obligation to the American people to investigate serious allegations of wrongdoing. We have done it many times before. We will do it many times in the future. The fact that it may be difficult is no reason not to proceed.

I urge my colleagues to vote for House Resolution 258 which will create a special task force to look into these matters—for the first time—in a comprehensive, professional, bipartisan manner.

Mr. GREEN of New York. Mr. Speaker, I must oppose House Resolution 258, legisla-

tion to establish a House task force to investigate what some are calling the October Surprise. While I do not oppose this legislation on principle, and I believe the public has a right to question the past actions of their Government, in this case the House is acting to duplicate the efforts of the Senate, and is doing so in a way that undermines basic House rules.

First, establishing a House task force could result in presenting the taxpayers with a bill for \$2.5 million or more, and yet it is not clear what the House task force will be doing that has not already been authorized for the Senate to do. The Senate has already granted an existing Foreign Relations subcommittee the authority to conduct an investigation into the October Surprise allegations. Why should the House create a wholly separate, new investigative body, at taxpayer expense, to examine those very same allegations?

Further, there are provisions of the resolution which I find very troubling. For example, in the taking of depositions, House Resolution 258 provides that only one staff member is necessary to take depositions and affidavits. If we are to conduct this investigation, it is important that elected Members of the House be present for such important proceedings as the taking of depositions, and that both parties be allowed to participate. House rules require that at least two Members, the hearing quorum minimum, be present for the taking of depositions or affidavits.

Also, again to the question of cost, if the House insists on conducting an investigation duplicating the work of the Senate, why not cap the costs of the investigation so as to spare the taxpayers? The Michel substitute amendment, House Resolution 255, does just that, allowing \$300,000 for the House investigation.

Obviously, if there is anything behind the allegations, the public has a right to know. But I believe that one body of Congress should pursue this, not both. Thus, since the Senate has previously acted, I must cast my vote against the House's duplicating the Senate activities.

Mr. YOUNG of Florida. Mr. Speaker, to suggest that Ronald Reagan is so callous a human being that he would knowingly allow Americans to be held in bondage for political purposes is ludicrous.

I know Ronald Reagan well and many of you, on both sides of this aisle, know Ronald Reagan well enough to know that he would never place politics above the very rights of the people he was elected to serve. If, however, you are so cynical to believe that President Reagan and his campaign committee crafted a plot to allow American hostages to be held against their will, you must know that there was no political advantage to him to allow 52 hostages to be held 1 hour more than necessary after the voting booths closed on November 4, 1980.

Consider the source of these spurious, 12-year-old allegations. They are being made by anonymous witnesses, unnamed sources, and convicted felons who accuse our 40th President of not only deliberately having American hostages held for his political gain, but allowing them to be held for the 70 days between his election and inauguration. If the Reagan campaign committee was crafty enough, and

devious enough to orchestrate such a heinous act, then they also were politically smart enough and well connected to the Iranian Government to know that the hostages should be released the day after the election. Even if you are so cynical to believe these charges, you must know in your heart, as I do, that Ronald Reagan would not stand by and allow fellow Americans to continue to be held against their will.

It is no wonder that poll after poll of the American people shows a steady decline in confidence in their elected officials. If those who serve in this Congress truly believe that the highest elected official in the United States of America would violate the human rights of the very people he was elected to serve by allowing them to be held hostage in Teheran for his political gain, then they themselves have no confidence what so ever in the office of the President or any of the branches of Government of the greatest democracy the world has ever known.

Mr. Speaker, while some in Congress may not have agreed with his politics or philosophical beliefs, even his most ardent opponents, from the Speaker of the House on down, agree that Ronald Reagan is a compassionate and caring man who holds the highest respect for the fundamental rights of people throughout the world. He devoted his 8 years of service to helping the oppressed gain freedom. To continue to recant fallacious allegations that he in some way forced Americans to be held against their will and in continuing peril by the Iranian Government is a disservice to the Office of the President and to the integrity of President Ronald Reagan.

Mr. Speaker, the U.S. House of Representatives is the people's house. The people have elected us to look forward and solve the problems of this great country, not to look backward more than 12 years to rehash unproven and mean-spirited allegations and accusations. In fact, almost two-thirds of our colleagues in this House did not even serve here when these events were said to have occurred.

The resolution before us this evening will do nothing to get our Nation's economy on track, to create more jobs, to provide health care for the American people, or to educate our children. It simply undermines the withering public trust in the office of the President and this Congress. It also undermines the respect and confidence of our allies throughout the world that we have spent the past 12 years successfully rebuilding.

Many this evening who have risen in support of this resolution have spoken of a responsibility to do the right thing. Well, Mr. Speaker, I say we have a responsibility to the American people to move this country forward. We have a responsibility to add new pages to our Nation's proud history, not tarnish the pages of our history written 12 years ago.

More importantly, we have a responsibility to accord Ronald Reagan the same respect that we have shown past Presidents. He should be remembered for his 8 years as President and the strong course which he chartered that has set free millions of people throughout the world and allowed us to regain our national pride. He should not be smeared by a mean-spirited campaign initiated by this

Congress almost 4 years after his leaving office. The American people, the U.S. Congress, and President Reagan deserve better from us this evening.

Mr. BLILEY. Mr. Speaker, I am sorry that we stand here again in such a grossly partisan fashion, to debate an issue which is a slap in the face not only to this institution and its credibility, but the trust of the American taxpayer. Once again, they will be asked to foot the bill for an expensive investigation whose allegations have already been shown to be unsubstantiated in previous investigations. The Tower Commission has explored this matter, so has the GAO, the Iran Contra Committee and both House and Senate Foreign Affairs Committees, as well as a special prosecutor and the Senate Select Committee on Intelligence. All have found no evidence which corroborates any charges of influencing the Iranians.

This resolution authorizes the Speaker to appoint a task force to investigate allegations by a number of sources that the Reagan campaign in 1980 influenced the release of American hostages held in Iran. The resolution has no spending limit for this task force, nor time limit. The members of the task force will be taken directly from the House Foreign Affairs Committee, who I must point out, has already investigated this matter.

But, my colleagues in the majority leadership insist on an investigation. The timing of the consideration of this measure is flagrantly political, as the minority knows such an attempt to drag these questions into the late summer is an effort to damage the President and influence the election process. I am sorry to see this happen, and warn my colleagues across the aisle that these things do backfire. I remind all of my colleagues that the Congressional Budget Office has estimated that this investigation will cost between \$1.2 million and \$2.5 million. Reckless spending of this type can in no way be any comfort to those in this country who have been so deeply affected by the slipping economy. The American public does not want to see this institution once again wasting its time and their money on a purely political agenda. We should instead be working on an economic package, on debt reduction and on health insurance reforms. This investigation will in no way help those who have been hurt by our Nation's slipping economy.

Since it is inevitable that some kind of investigation take place, however, I urge my colleagues to support the Michel amendment. If the amendment is adopted, the investigation will be limited to a 6-month period with a \$300,000 expenditure limit. It will further require that the task force be bipartisan, with equal minority and majority members and it will require that as they investigate this matter, they also include the Carter administration operations so that the entire picture may be laid before them. This amendment is not partisan, it is fair and it takes all possibilities into consideration. I urge the adoption of the substitute.

Mr. KOLBE. Mr. Speaker, Democratic hysteria in Congress over the economy continues to grow, and a March 20 deadline for congressional action to provide relief to taxpayers is rapidly approaching. The American people

are looking to the Congress for leadership, especially since Democratic leaders have pronounced President Bush's economic package dead on arrival.

So, what is the first order of business for this session? Surprise! We are going to vote on a resolution to form a task force to investigate the October Surprise. The task force will investigate 12-year-old rumors that have been repeatedly called false and have been repeatedly discredited during the past decade.

The majority party's ideas of an October Surprise task force is blatant partisanship in its worse form. This task force has nothing to do with public policy, with solving our economic problems, or with improving the plight of taxpayers. Instead, Democrats will use this task force as a platform to bash the President and to try to expose events during the 1980 Presidential election, even while the American people will be choosing a new President in 1992.

There is no accident in bringing forth this issue this year. The Democrats know that even by discussing the October Surprise rumors, they will lend them credence, especially in an official congressional forum. Even worse, the majority resolution to create the task force has no time limit which allows it to conduct its investigation right up to election day.

The Republican substitute resolution, which I will support, sunsets at the end of 6 months.

The issue of whether or not the Reagan-Bush campaign participated in any way in the release of our hostages in Iran has been investigated to death already. The New Republic investigated the allegations and found that "the conspiracy as currently postulated is a total fabrication ***". The key sources on whose word the story rests are documented frauds and imposters."

There are at least three individuals who will be counted on as sources for exposing the October Surprise.

The first is Barbara Honneger, who was the first to claim knowledge of the October Surprise. She held a low-level Reagan administration job, but quit after hearing a channeled voice that told her President Reagan would lose the 1984 election.

The second is Richard Brenneke who claimed to have witnessed meetings in Paris between George Bush, William Casey, and representatives of the Iranian government. However, it's been proven that Brenneke was in the United States during the time of the alleged meetings thus making it impossible for him to be a witness.

The third is Ari Ben-Menashe who has made numerous unrealistic claims about his relationship with the Israeli government. He only came forward with his October Surprise claim after landing in jail on charges of selling transport planes to Iran.

With a group of witnesses like this, it is no wonder Newsweek said, after conducting a lengthy investigation, "that the key claims of the purported witnesses and accusers simply do not hold up."

Even though the allegations are totally outrageous, it does appear that we will have a task force. So the question then becomes, what kind of task force will be assembled? Here again, the majority party of this Congress has stacked the deck.

The scope of the task force's hearing is limited only to allegations regarding the Reagan-

Bush campaign. However, allegations have been raised regarding the conduct of the Carter administration during the 1980 election season. Surely both sets of allegations, those against the Reagan-Bush campaign and those against the Carter administration, should be investigated equally.

The Republican substitute resolution would form a task force to investigate both sets of allegations. Even the General Accounting Office has indicated that in order to conduct a thorough investigation, it is necessary to include Carter administration officials. Not according to the Democrats, who refuse to investigate the allegations regarding the Carter administration. Again, this smells of partisan politics of the most heinous kind.

Other portions of the majority resolution set dangerous precedents for conducting House business. For instance, the majority proposal would allow a single Member or staff member to take depositions or affidavits. House rules require that at least two Members or designated staff should be present to conduct business. The Republican substitute is consistent with House rules.

Finally, there is the question of cost. The Congressional Budget Office estimates that the costs that will be incurred by the task force will run between \$1.2 and \$2.5 million. We have another precedent for wasting the taxpayers' money on a similar endeavor. More than \$30 million has been spent as a result of chasing down the alleged culprits of the Iran-Contra affair. The taxpayers should not have to put up with more spending nonsense.

Mr. Speaker, the majority resolution before us today is an affront to the traditions and values of this institution. Any semblance of fairness and bipartisan cooperation has been cast aside in a desperate attempt to gain an election year advantage.

Apparently, to the Democrats, the ends really do justify the means. Doubts will be raised, and suspicions will be cast by this October Surprise task force. However, the task force will uncover no wrongdoing, and a lot of political blood will be unnecessarily spilled to reach that conclusion. Reputations will become suspect, even in the face of unsubstantiated charges that will be reported in the media in the months to come. Merely by elevating unsubstantiated rumors to official status, as this task force will do, damage will be done. Unfortunately, that is precisely what the majority party of this institution has in mind.

The SPEAKER pro tempore (Mr. OBEY). All time has expired.

Pursuant to House Resolution 303, the previous question is ordered on the resolution and amendments thereto.

The question is on the amendment in the nature of a substitute offered by the gentleman from Illinois [Mr. MICHEL].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MICHEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 158, nays 249, not voting 27, as follows:

[Roll No. 12]

YEAS—158

| | | |
|---------------|---------------|---------------|
| Allard | Gradison | Paxon |
| Allen | Grandy | Petri |
| Archer | Green | Porter |
| Armey | Gunderson | Pursell |
| Baker | Hammerschmidt | Quillen |
| Ballenger | Hancock | Ramstad |
| Barrett | Hansen | Ravenel |
| Barton | Hastert | Regula |
| Bateman | Hefley | Rhodes |
| Bentley | Henry | Ridge |
| Bereuter | Herger | Riggs |
| Bilirakis | Hobson | Rinaldo |
| Bliley | Holloway | Ritter |
| Boehlert | Hopkins | Roberts |
| Boehner | Horton | Rogers |
| Broomfield | Houghton | Rohrabacher |
| Bunning | Hunter | Ros-Lehtinen |
| Burton | Hyde | Roth |
| Callahan | Inhofe | Roukema |
| Camp | James | Saxton |
| Campbell (CA) | Johnson (CT) | Schaefer |
| Chandler | Kasich | Schiff |
| Clinger | Klug | Schulze |
| Coble | Kolbe | Sensenbrenner |
| Coleman (MO) | Kyl | Shaw |
| Combest | Lagomarsino | Shays |
| Coughlin | Leach | Shuster |
| Cox (CA) | Lent | Skeen |
| Crane | Lewis (CA) | Smith (NJ) |
| Cunningham | Lewis (FL) | Smith (OR) |
| Davis | Livingston | Smith (TX) |
| DeLay | Lowery (CA) | Snowe |
| Dickinson | Machtley | Solomon |
| Doolittle | Marlenee | Spence |
| Dornan (CA) | Martin | Stearns |
| Dreier | McCandless | Stump |
| Duncan | McCollum | Sundquist |
| Edwards (OK) | McCrery | Taylor (NC) |
| Emerson | McEwen | Thomas (WY) |
| Ewing | McGrath | Upton |
| Fawell | McMillan (NC) | Vander Jagt |
| Fields | Meyers | Vucanovich |
| Fish | Michel | Walker |
| Franks (CT) | Miller (OH) | Walsh |
| Gallely | Miller (WA) | Weber |
| Gallo | Molinar | Weldon |
| Gekas | Moorhead | Wolf |
| Gilchrest | Morella | Wylie |
| Gillmor | Myers | Young (AK) |
| Gilman | Nichols | Young (FL) |
| Gingrich | Nussle | Zeliff |
| Goodling | Oxley | Zimmer |
| Goss | Packard | |

NAYS—249

| | | |
|--------------|---------------|--------------|
| Abercrombie | Bustamante | Edwards (TX) |
| Ackerman | Byron | Engel |
| Alexander | Campbell (CO) | English |
| Anderson | Cardin | Erdreich |
| Andrews (ME) | Carper | Espy |
| Andrews (NJ) | Carr | Evans |
| Andrews (TX) | Chapman | Fascell |
| Annuizio | Clement | Fazio |
| Anthony | Collins (IL) | Feighan |
| Applegate | Collins (MI) | Foglietta |
| Aspin | Condit | Ford (TN) |
| Atkins | Conyers | Frank (MA) |
| AuCoin | Cooper | Frost |
| Bacchus | Costello | Gejdenson |
| Barnard | Cox (IL) | Gephardt |
| Bellenson | Coyne | Geren |
| Bennett | Darden | Gibbons |
| Berman | de la Garza | Glickman |
| Bevill | DeLauro | Gonzalez |
| Bilbray | Dellums | Gordon |
| Blackwell | Derrick | Guarini |
| Bonior | Dicks | Hall (OH) |
| Borski | Dingell | Hall (TX) |
| Boucher | Dixon | Hamilton |
| Boxer | Donnelly | Harris |
| Brewster | Dooley | Hatcher |
| Brooks | Dorgan (ND) | Hayes (IL) |
| Browder | Downey | Hayes (LA) |
| Brown | Durbin | Hefner |
| Bruce | Dwyer | Hertel |
| Bryant | Early | Hoagland |

| | | |
|---------------|---------------|-------------|
| Hochbrueckner | Montgomery | Savage |
| Horn | Moody | Sawyer |
| Hoyer | Moran | Scheuer |
| Hubbard | Murphy | Schroeder |
| Huckaby | Murtha | Schumer |
| Hughes | Nagle | Serrano |
| Jacobs | Natcher | Sharp |
| Jefferson | Neal (MA) | Sikorski |
| Jenkins | Neal (NC) | Sisisky |
| Johnson (SD) | Nowak | Skaggs |
| Johnston | Oakar | Skelton |
| Jones (GA) | Oberstar | Slattery |
| Jones (NC) | Obey | Slaughter |
| Jontz | Olin | Smith (FL) |
| Kanjorski | Olver | Smith (IA) |
| Kaptur | Ortiz | Solarz |
| Kennedy | Orton | Spratt |
| Killee | Owens (NY) | Staggers |
| Klecza | Owens (UT) | Stallings |
| Kopetski | Pallone | Stenholm |
| Kostmayer | Panetta | Stokes |
| LaFalce | Parker | Studds |
| Lancaster | Pastor | Swett |
| LaRocco | Patterson | Swift |
| Laughlin | Payne (NJ) | Synar |
| Lehman (CA) | Payne (VA) | Tallon |
| Lehman (FL) | Pease | Tanner |
| Levin (MI) | Pelosi | Tauzin |
| Lewis (GA) | Penny | Taylor (MS) |
| Lipinski | Perkins | Thornton |
| Lloyd | Peterson (FL) | Torres |
| Long | Peterson (MN) | Torricelli |
| Lowey (NY) | Pickett | Towns |
| Manton | Pickle | Trafficant |
| Markay | Poshard | Traxler |
| Martinez | Price | Unsoeld |
| Matsui | Rahall | Valentine |
| Mavroules | Rangel | Vento |
| Mazzoli | Ray | Visclosky |
| McCloskey | Reed | Volkmer |
| McCurdy | Richardson | Washington |
| McDermott | Roe | Waters |
| McHugh | Roemer | Waxman |
| McMillen (MD) | Rose | Weiss |
| McNulty | Rostenkowski | Wheat |
| Mfume | Rowland | Williams |
| Miller (CA) | Roybal | Wilson |
| Mineta | Russo | Wise |
| Mink | Sabo | Wolpe |
| Moakley | Sanders | Wyden |
| Mollohan | Sangmeister | Yates |
| | Sarpaluis | Yatron |

NOT VOTING—27

| | | |
|--------------|--------------|-------------|
| Clay | Ford (MI) | Luken |
| Coleman (TX) | Gaydos | McDade |
| Cramer | Hutto | Morrison |
| Dannemeyer | Ireland | Mrazek |
| DeFazio | Johnson (TX) | Santorum |
| Dymally | Kolter | Stark |
| Eckart | Lantos | Thomas (CA) |
| Edwards (CA) | Levine (CA) | Thomas (GA) |
| Flake | Lightfoot | Whitten |

□ 2147

The Clerk announced the following pairs:

On this vote:

Mr. Johnson of Texas for, with Mr. Eckart against.

Mr. Thomas of California for, with Mr. DeFazio against.

Mr. LIPINSKI changed his vote from "yea" to "nay."

Messrs. BATEMAN, GREEN of New York, and HOPKINS changed their vote from "nay" to "yea."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. OBEY). The question is on the resolution, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SOLOMON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 217, nays 192, not voting 25, as follows:

[Roll No. 13]

YEAS—217

| | | |
|--------------|---------------|---------------|
| Abercrombie | Guarini | Pallone |
| Ackerman | Hall (OH) | Panetta |
| Alexander | Hamilton | Pastor |
| Anderson | Hatcher | Payne (NJ) |
| Andrews (ME) | Hayes (IL) | Payne (VA) |
| Andrews (NJ) | Hefner | Pease |
| Andrews (TX) | Hertel | Pelosi |
| Annunzio | Hoagland | Peterson (FL) |
| Applegate | Hochbrueckner | Peterson (MN) |
| Aspin | Horn | Pickett |
| Atkins | Hoyer | Pickle |
| AuCoin | Hubbard | Poshard |
| Bacchus | Hughes | Price |
| Barnard | Jacobs | Rangel |
| Beilenson | Jefferson | Reed |
| Bennett | Jenkins | Richardson |
| Berman | Johnson (SD) | Roe |
| Bevill | Johnston | Roemer |
| Bilbray | Jones (GA) | Rose |
| Blackwell | Jones (NC) | Rostenkowski |
| Bonior | Jontz | Rowland |
| Borski | Kanjorski | Roybal |
| Boucher | Kaptur | Russo |
| Boxer | Kennedy | Sabo |
| Brewster | Kennelly | Sanders |
| Browder | Kildee | Sarpalius |
| Brown | Kiecicka | Savage |
| Bruce | Kopetski | Sawyer |
| Bryant | Kostmayer | Scheuer |
| Bustamante | LaFalce | Schroeder |
| Cardin | Lancaster | Schumer |
| Carr | LaRocco | Serrano |
| Chapman | Laughlin | Sharp |
| Clement | Lehman (FL) | Sikorski |
| Collins (IL) | Levin (MI) | Sisisky |
| Collins (MI) | Lewis (GA) | Skaggs |
| Conyers | Long | Slattery |
| Cooper | Lowey (NY) | Slaughter |
| Cox (IL) | Manton | Smith (FL) |
| Coyne | Markey | Smith (IA) |
| Darden | Martinez | Solarz |
| de la Garza | Matsui | Spratt |
| DeLauro | Mavroules | Staggers |
| Dellums | Mazzoli | Stallings |
| Derrick | McCloskey | Stokes |
| Dicks | McCurdy | Studds |
| Dingell | McDermott | Swett |
| Dixon | McHugh | Swift |
| Donnelly | McMillen (MD) | Synar |
| Dooley | Mfume | Tallon |
| Dorgan (ND) | Miller (CA) | Tanner |
| Downey | Mineta | Thornton |
| Durbin | Mink | Torres |
| Dwyer | Moakley | Torricelli |
| Early | Mollohan | Towns |
| Edwards (TX) | Moody | Traficant |
| Engel | Moran | Traxler |
| Espy | Murphy | Unsoeld |
| Evans | Murtha | Vento |
| Fascell | Nagle | Visclosky |
| Fazio | Natcher | Washington |
| Feighan | Neal (MA) | Waters |
| Foglietta | Neal (NC) | Waxman |
| Ford (MI) | Nowak | Weiss |
| Ford (TN) | Oakar | Wheat |
| Frank (MA) | Oberstar | Williams |
| Frost | Obey | Wise |
| Gejdenson | Olin | Wolpe |
| Gephardt | Oliver | Wyden |
| Gibbons | Ortiz | Yates |
| Glickman | Orton | Yatron |
| Gonzalez | Owens (NY) | |
| Gordon | Owens (UT) | |

NAYS—192

| | | |
|-----------|---------------|---------------|
| Allard | Bilbrakis | Campbell (CO) |
| Allen | Bliley | Carper |
| Anthony | Boehlert | Chandler |
| Archer | Boehner | Clinger |
| Armey | Brooks | Coble |
| Baker | Broomfield | Coleman (MO) |
| Ballenger | Bunning | Combest |
| Barrett | Burton | Condit |
| Barton | Byron | Costello |
| Bateman | Callahan | Coughlin |
| Bentley | Camp | Cox (CA) |
| Bereuter | Campbell (CA) | Cramer |

| | | |
|---------------|---------------|---------------|
| Crane | Johnson (CT) | Rhodes |
| Cunningham | Kasich | Ridge |
| Davis | Klug | Riggs |
| DeLay | Kolbe | Rinaldo |
| Dickinson | Kyl | Ritter |
| Doolittle | Lagomarsino | Roberts |
| Dornan (CA) | Leach | Rogers |
| Dreier | Lehman (CA) | Rohrabacher |
| Duncan | Lent | Ros-Lehtinen |
| Edwards (OK) | Lewis (CA) | Roth |
| Emerson | Lewis (FL) | Roukema |
| English | Lipinski | Sangmeister |
| Erdreich | Livingston | Saxton |
| Ewing | Lloyd | Schaefer |
| Fawell | Lowery (CA) | Schiff |
| Fields | Machtley | Schulze |
| Fish | Marlenee | Sensenbrenner |
| Franks (CT) | Martin | Shaw |
| Galleghy | McCandless | Shays |
| Gallo | McCollum | Shuster |
| Gekas | McCrery | Skeen |
| Geren | McEwen | Skelton |
| Gilchrest | McGrath | Smith (NJ) |
| Gillmor | McMillan (NC) | Smith (OR) |
| Gilman | McNulty | Smith (TX) |
| Gingrich | Meyers | Snowe |
| Goodling | Michel | Solomon |
| Goss | Miller (OH) | Spence |
| Gradison | Miller (WA) | Stearns |
| Grandy | Molinar | Stenholm |
| Green | Montgomery | Stump |
| Gunderson | Moorhead | Sundquist |
| Hall (TX) | Morella | Tauzin |
| Hammerschmidt | Myers | Taylor (MS) |
| Hancock | Nichols | Taylor (NC) |
| Hansen | Nussle | Thomas (WY) |
| Harris | Oxley | Upton |
| Hastert | Packard | Valentine |
| Hayes (LA) | Parker | Vander Jagt |
| Hefley | Patterson | Volkmer |
| Henry | Paxon | Vucanovich |
| Herger | Penny | Walker |
| Hobson | Perkins | Walsh |
| Holloway | Petri | Weber |
| Hopkins | Porter | Weldon |
| Horton | Pursell | Wilson |
| Houghton | Quillen | Wolf |
| Huckaby | Rahall | Wylie |
| Hunter | Ramstad | Young (AK) |
| Hyde | Ravenel | Young (FL) |
| Inhofe | Ray | Zeliff |
| James | Regula | Zimmer |

NOT VOTING—25

| | | |
|--------------|--------------|-------------|
| Clay | Hutto | Morrison |
| Coleman (TX) | Ireland | Mrazek |
| Dannemeyer | Johnson (TX) | Santorum |
| DeFazio | Kolter | Stark |
| Dymally | Lantos | Thomas (CA) |
| Eckart | Levine (CA) | Thomas (GA) |
| Edwards (CA) | Lightfoot | Whitten |
| Flake | Lukens | |
| Gaydos | McDade | |

□ 2204

The Clerk announced the following pairs:

On this vote:

Mr. Eckart for, with Mr. Johnson of Texas against.

Mr. DeFazio for, with Mr. Thomas of California against.

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MORRISON. Mr. Speaker, had I been present, I would have voted for the Michel substitute amending House Resolution 258. With the failure of the substitute my vote would have been cast against House Resolution 258 establishing a task force to investigate allegations that officials of the Reagan-Bush campaign of 1980 negotiated to delay

the release of American hostages held by Iranian militants.

So far, concrete evidence confirming these allegations has not been produced. I regret that the issue will be wrung for as much political mileage as possible. President Bush maintains no involvement or knowledge on his part. I accept the President's word, unfortunately, others do not.

PERSONAL EXPLANATION

Mr. LUKEN. Mr. Speaker, I came to the floor to cast my vote on the passage of House Resolution 303, the rule for House Resolution 258, the October Surprise task force. I inserted my card and voted yea.

For some reason my vote is not recorded in the official RECORD. I intended to vote "yea."

PERSONAL EXPLANATION

Mr. DANNEMEYER. Mr. Speaker, I was unavoidably absent for rollcall votes 11 through 13. Had I been present during these votes, I would have voted "nay" on rollcall vote 11, "yea" on rollcall vote 12, and "nay" on rollcall vote 13.

APPOINTMENT OF MEMBERS TO TASK FORCE OF MEMBERS OF COMMITTEE ON FOREIGN AFFAIRS TO INVESTIGATE CERTAIN ALLEGATIONS CONCERNING HOLDING OF AMERICANS AS HOSTAGES BY IRAN IN 1980

The SPEAKER pro tempore (Mr. OBEY). Pursuant to the provisions of House Resolution 258, the Chair on behalf of the Speaker appoints the following Members to the task force of members of the Foreign Affairs Committee to investigate certain allegations concerning the holding of Americans as hostages by Iran in 1980:

Mr. HAMILTON of Indiana, chairman;

Mr. SOLARZ of New York;

Mr. GEJDENSON of Connecticut;

Mr. TORRICELLI of New Jersey;

Mr. DYMALLY of California;

Mr. BERMAN of California;

Mr. FEIGHAN of Ohio;

Mr. WEISS of New York;

Mr. HYDE of Illinois;

Mr. LEACH of Iowa;

Mr. GOSS of Florida;

Mr. BEREUTER of Nebraska; and

Ms. SNOWE of Maine.

GENERAL LEAVE

Mr. DERRICK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on House Resolution 258 and House Resolution 303, the two resolutions just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader how he perceives the balance of the week legislatively and the normal Lincoln day break.

Mr. GEPHARDT. Mr. Speaker, if the gentleman will yield, obviously there will not be further votes today. There will not be votes tomorrow. There will not be a session tomorrow.

We do plan to have a pro forma session on Friday, February 7, again on Tuesday, February 11, and on Friday, February 14.

Then the House will meet at 12 noon on Tuesday, February 18. There will be several suspension bills. Votes will not be held on that day but rolled until Wednesday, February 19, when the House will meet at 2 p.m.

Mr. WALKER. Mr. Speaker, if the gentleman will yield, I understand that we are not going to do an adjournment resolution as such in order to accommodate the Lincoln day recess, but instead have decided to do a kind of a pro forma recess. Since we are operating under at least a Presidentially declared deadline for our economic program, can we receive some assurances that this time that the House is not going to be in Washington is not going to be at the expense of meeting that deadline?

Mr. GEPHARDT. Mr. Speaker, if the gentleman will continue to yield, let me assure him and the distinguished minority leader that the Committee on the Budget and the Committee on Ways and Means and the Committee on Armed Services will all be in session next week, and the Committee on Ways and Means intends to begin a markup of the tax legislation next week. And all of the members on those committees are expected to be here and to be working all through this period.

Obviously, the gentleman knows that we do not need to have floor action on these days, and I would seek some assurance from the minority that there will not be votes called so that Members will know whether or not to be here. But the committees will be working, and we will be trying to get the legislation prepared so that when we come back, legislation will be ready.

Mr. WALKER. Mr. Speaker, if the gentleman would yield further, I still did not hear an indication, beyond the fact that we are going to be working. Is there an assumption in all of this that both the House and the Senate are going to meet the March 20 deadline and that legislation will be sent to the President in time to meet that particular date?

Mr. GEPHARDT. Mr. Speaker, if the gentleman will again yield, it is our intent, and we have expressed it on a number of occasions, to do everything in our power to get this bill on the President's desk as quickly as is humanly possible.

As the gentleman knows, it is impossible for me or any other Member of this body to assure anyone in this body what the other body will ultimately do and on what time schedule it will do it.

The only thing we can talk about with any assurance is what we intend to do in this body. And it is the intention of the leadership to move that legislation as quickly as is humanly possible.

Mr. WALKER. Mr. Speaker, if the gentleman would yield further, it is also clear, however, that it is not likely to have completed the entire course of both this House and the Senate if this House does not complete its work until March 20.

I guess the assurance that I am seeking is that we will be done well in advance of the March 20 date so that if the other body in fact is the laggard on it, that that will be very obvious. But I would not want a recess that we are taking in February to be viewed later on as keeping us from having passed an economic package by say the first part of March and thereby giving the other body such time to act.

□ 2210

Mr. GEPHARDT. If the gentleman will yield again, we obviously would want to be here if that was important to get the committees to do their work. We believe the committees will act properly, will meet through next week. It is my understanding the Ways and Means Committee intends to stay at it until they get done and, therefore, we think going forward with these pro forma sessions is the proper way to proceed. And we want to get the bill out of the House before March 1.

Mr. WALKER. I thank the gentleman for yielding.

Mr. MICHEL. I thank the gentleman for responding. I might very well comment further that in our consultations with the majority that has been our understanding, that those committees, very important to the process here, would be meeting very regularly, and it would be rather foolhardy for us to simply be spinning our wheels if there were those Members who had made plans ahead of time, so long as the normal processes are being followed here by way of committee structure. In the distinguished gentleman's response to the questions of the gentleman from Pennsylvania I think that certainly gives us an assurance that we are going to have something on the floor of this House in due time to meet our kind of deadline here, and at least the gentleman from Illinois is proceeding on that assumption.

I would also say further to the gentleman I would expect to give our Members assurance that while we are having pro forma sessions there is a clear understanding that there will be no rollcall so that Members do not have to have any kind of concern that

some unforeseen thing might come up that would require a rollcall. Surely the leadership on both sides would alert Members if there were any change in that normal practice, if I am correct.

Mr. GEPHARDT. I thank the gentleman.

ADJOURNMENT TO FRIDAY, FEBRUARY 7, 1992 AND ADJOURNMENT FROM FRIDAY, FEBRUARY 7, 1992 TO TUESDAY, FEBRUARY 11, 1992; ADJOURNMENT OF THE HOUSE FROM TUESDAY, FEBRUARY 11, 1992 TO FRIDAY, FEBRUARY 14, 1992 AND ADJOURNMENT OF THE HOUSE FROM FRIDAY, FEBRUARY 14, 1992 TO TUESDAY, FEBRUARY 18, 1992

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Friday, February 7; that when the House adjourns on Friday, February 7, it adjourn to meet on Tuesday, February 11; that when the House adjourns on Tuesday, February 11, it adjourn to meet on Friday, February 14; and that when the House adjourns on Friday, February 14, it adjourn to meet on Tuesday, February 18.

The SPEAKER pro tempore (Mr. ORTON). Is there objection to the request of the gentleman from Missouri? There was no objection.

GIRL SCOUTS OF THE UNITED STATES OF AMERICA 80TH ANNIVERSARY DAY

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 343) to designate March 12, 1992, as "Girl Scouts of the United States of America 80th Anniversary Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so to acknowledge the work of the gentlewoman from New York [Ms. SLAUGHTER], who is the chief sponsor of this resolution.

GIRL SCOUTS OF THE USA 80TH ANNIVERSARY DAY

Mr. GILMAN. Mr. Speaker, I am pleased to rise today to support House Joint Resolution 343, designating March 12, 1992 as "Girl Scouts of the United States of America 80th Anniversary Day," and I commend the gentlewoman from New York [Ms. SLAUGHTER] and the gentlewoman from Maine [Ms. SNOWE] for their efforts on behalf of the Girl Scouts.

On March 12, 1992, the Girl Scouts will be celebrating their 80th anniversary. Serving 3.2 million, the U.S. Girl Scout movement is the largest organization for girls and women in the world.

Mr. Speaker, this resolution expresses recognition of the significant community service Girl Scouts have provided as a voluntary, nonprofit organization over the years. Girl Scouting has left a significant mark on a vast number of girls who have grown into distinguished women.

Founded in 1912 in Savannah, GA, and chartered by Congress in 1950, Girl Scouts of the United States of America has aspired to meet the special needs and interests of girls. The admirable organization has accomplished its goal of helping young women develop leadership ability, self-esteem, and moral values.

The rich diversity of the Girl Scouts movement has played a dramatic role in the improvement of our society. Membership is growing in all racial and ethnic groups, including African-American, Hispanic, Asian, Pacific Islander, and Native Americans.

Mr. Speaker, I invite my colleagues to join in celebrating the 80th anniversary of the Girl Scouts of the United States of America.

Ms. SNOWE. Mr. Speaker, I would like to thank Representative SLAUGHTER for her effort in bringing to the floor House Joint Resolution 343 to designate March 12, 1992, as "Girl Scouts of the United States America 80th Anniversary Day," commemorating the 80 years of service of our Nation of the largest organization for girls and young women. I am pleased to join as a primary cosponsor of this resolution.

It is important that we give special recognition and commendation to an organization that proudly strives to promote self-awareness, development of values, leadership skills and service to society for 3.2 million girls and women.

The guiding principles of the Girl Scouts were brought to the United States in 1912 by Juliette Gordon Low of Savannah, GA. While living in Scotland in 1911 Ms. Low was inspired by the ideas and programs of Lord Baden-Powell, founder of the Boy Scout and Girl Guide Movements. Ms. Low became involved in the movement and upon her return to the United States in 1912 she organized the first American Girl Guides with 18 members in Savannah, GA. Thus, March 12, 1912, is celebrated as the Girl Scout birthday. In 1950 under the initiative of Bess Truman and other prominent American women the Girl Scouts were chartered by a special act of Congress and became incorporated as the Girl Scouts of the United States of America as the first youth organization for girls and young women.

Since it began more than 40 million people have been Girl Scouts at some point in their lives. There is no doubt Girl Scouting leaves a lasting mark on the scores of girls who have achieved distinction, serving their communities in every capacity. We must also commend the community leaders who volunteer their valu-

able time to serve as leaders, national and council board members, advisers, and committee members. Without their support and dedication to the ideals of excellence Girl Scouting would not flourish as it does today. At this time Girl Scouting has become a vital part of our society, its impact on society positive and beneficial to all.

Mr. Speaker, how can one not feel pride in the accomplishments of the Girl Scout organization? Girl Scouting has evolved from an initial gathering of 18 young pioneers into a contemporary and forward-looking organization that not only cuts across diverse ethnic, religious, and economic backgrounds but also aids in their integration. Girl Scouting provides opportunities for girls and women from all segments and strata of society to develop their potential, make friends, and to become a vital part of their community. Among the alumnae are actress Helen Hayes, Senator BARBARA MIKULSKI, executive director of the Red Cross Elizabeth Dole, Erma Bombeck, and Dr. Joyce Brothers.

Mr. Speaker, I hope I will have the Congress support for the Girl Scout movement not only on March 12, 1992, but also in the years to come. It is clear that in 80 years Girl Scouting has made invaluable contributions of leadership, caring, and proficiency to individuals, communities, and our Nation.

Ms. SLAUGHTER. Mr. Speaker, today I want to thank my colleagues in the House of Representatives for supporting this resolution designating March 12, 1992, as Girl Scouts of the United States of America 80th Anniversary Day. This resolution recognizes the contemporary program and significant community service Girl Scouts of the United States has provided as a voluntary, nonprofit organization over the years.

The Girl Scouts of U.S.A. was founded in 1912, in Savannah, GA, and became the first youth organization for girls and young women to be granted a Federal charter in 1950. The organization focuses on meeting the special needs and interests of girls, and currently serves 3.2 million girls and women.

As a former Girl Scout, I understand the indelible mark it leaves on its members. The organization creates a supportive and educational environment that enables young girls to achieve their personal goals and become women of distinction. A study by Louis Harris and Associates of 300 women from Who's Who of American Women who were Girl Scouts found that almost three-quarters of these women made a firm connection between their experience in Girl Scouting and their later success. The all-girl setting helps girls develop leadership skills, self-esteem, and ethical values.

The Girl Scout movement is rich in diversity. Membership is increasing in all racial and ethnic groups, including African-American, Hispanic, Asian, Pacific Islander, and Native American. The Girl Scouts' diversity impacts on the whole society by exemplifying a community in which all members are equal and treated with respect.

From the Girl Scouts of the U.S.A. emerge competent, resourceful women who participate successfully in our complex society. I commend the Girl Scouts of the U.S.A. for its service to our Nation, and for its commitment to

the betterment of all citizens. I celebrate the 80th anniversary of the Girl Scouts of the United States of America and look forward to the future of the Girl Scouts being as impressive as its past.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 343

Whereas March 12, 1992, is the 80th anniversary of the establishment of the Girl Scouts of the United States of America;

Whereas, on March 16, 1950, the Girl Scouts became the 1st youth organization for girls and young women to be granted a Federal charter;

Whereas, through annual reports required by its charter to be submitted to the Congress, the Girl Scouts regularly informs the Congress of its progress;

Whereas the programs and activities of the Girl Scouts instill in the girls and young women of the Nation principles that are moral and ethical, and habits, practices, and attitudes that are conducive to good character, citizenship, health, and service to others; and

Whereas, by fostering in girls and young women the qualities upon which the strength of the Nation depends, the Girl Scouts has significantly contributed to the advancement of the Nation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That March 12, 1992, is designated as "Girl Scouts of the United States of America 80th Anniversary Day", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL WOMEN AND GIRLS IN SPORTS DAY

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 395) designating February 6, 1992, as "National Women and Girls in Sports Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

Mr. RIDGE. Mr. Speaker, reserving the right to object, I simply want to acknowledge the work of the gentleman from Maine, Ms. OLYMPIA SNOWE, who is the chief sponsor of this joint resolution.

Mr. GILMAN. Mr. Speaker, I rise in support of House Joint Resolution 395, designating

February 6, 1992, as "National Women and Girls in Sports Day." I commend the gentlewoman from Maine [Ms. SNOWE] for introducing this important measure.

Female athletes and sporting events often do not receive the attention and praise heaped upon their male counterparts. This measure is an attempt to remedy that. Generations of young men have learned the importance of hard work, physical fitness, endurance, and teamwork from playing sports. Alongside them, however, often unnoticed, many young women were taking home the same virtues from their athletic contests. These young women have grown up to become the parents, laborers, educators, and business and political leaders that have made our Nation great.

As the 1992 Olympics approach, numerous women will represent our Nation to the world in a fair and friendly competition. These women represent all the best America has to offer to the world: Dedication, perseverance in the face of adversity, and a commitment to be the very best. As we glory in their triumphs, let us not forget the thousands of hours of training and practice behind their achievements, as well as the millions of other women who have traveled the same path, playing and practicing and competing far from the bright lights and network TV cameras. Surely we can do no less than set aside a single day to show our appreciation for these remarkable women.

Mr. Speaker, I urge my colleagues to vote in favor of House Joint Resolution 395.

Ms. SNOWE. Mr. Speaker, I am pleased to once again join my colleagues in the passage of a resolution proclaiming February 6, 1992, as National Women and Girls in Sports Day. This is the sixth year Congress has honored the achievement of female athletes.

Since 1987, a great many individuals and groups have worked to gain recognition for the role of women and girls in sports. It is now refreshing to see more and more women featured in the sports pages and on television. In a real turnaround for women, we now even have women journalists asking women athletes questions and writing about them. We've come a long way since the days when women's sports were never mentioned and there were no female writers. For female athletes the playing field is now more level than ever before.

As participants either past or present, everyone understands that sports are more than just fun and games. Through sports, children learn to take initiative, to work well with others, to set goals, and to develop a positive self-image—qualities crucial in a person's professional and family life.

National Women and Girls in Sports Day was conceived as a way to encourage women and girls to overcome this hurdle and participate in sports, to continue to work for equal opportunity in athletic programs and to celebrate the great progress made by females in sports.

This year is a particularly special year for women athletes because it is the 20th anniversary of title IX of the Education Amendments of 1972. As many of you know, title IX prohibits sex discrimination in educational institutions that receive any Federal funds. It applies to all programs at the institution, but has particularly visible effects in the area of athletics.

Shortly after title IX's passage, there were great increases in teams and numbers of female athletes. We need to continue this progress. However, there is still much more to be done to truly equalize men's and women's athletics in college and high school.

The importance of National Women and Girls in Sports Day is that it reminds all of us how far we have come, and pushes us to strive toward our goal of equality. To all of us then I say, "forward."

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 395

Whereas women's athletics is one of the most effective avenues available for women of the United States to develop self-discipline, initiative, confidence, and leadership skills;

Whereas support and fitness activity contributes to emotional and physical well-being;

Whereas women need strong bodies as well as strong minds;

Whereas the history of women in sports is rich and long, but there has been little national recognition of the significance of women's athletic achievements;

Whereas the number of women in leadership positions as coaches, officials, and administrators has declined drastically over the last 14 years;

Whereas there is a need to restore women to leadership positions in athletics to ensure a fair representation of the abilities of women and to provide role models for young female athletes;

Whereas the bonds built between women through athletics help to break down the social barriers of racism and prejudice;

Whereas the communication and cooperation skills learned through athletic experience play a key role in the contributions of an athlete at home, at work, and to society;

Whereas women's athletics has produced such winners as Flo Hyman, whose spirit, talent, and accomplishments distinguish her above others and exhibited the true meaning of fairness, determination, and team play;

Whereas parents feel that sports are equally important for boys and girls and that sports and fitness activities provide important benefits to girls who participate;

Whereas early motor-skill training and enjoyable experiences of physical activity strongly influence long-life habits of physical fitness;

Whereas the performances of such female athletes as Jackie Joyner-Kersey, Florence Griffith Joyner, Bonnie Blair, Janet Evans, the United States Women's Basketball Team and many others in the 1988 Olympic Games were a source of inspiration and pride to the United States;

Whereas the athletic opportunities for male students at the collegiate and high school level remain significantly greater than those for female students; and

Whereas the number of funded research projects focusing on the specific needs of women athletes is limited and the information provided by these projects is imperative to the health and performance of future women athletes: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That—

(1) February 6, 1992 is designated as "National Women and Girls in Sports Day"; and

(2) the President is authorized and requested to issue a proclamation calling on local and State jurisdictions, appropriate federal agencies, and the people of the United States to observe the day with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IRISH-AMERICAN HERITAGE MONTH

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 350) designating March 1992 as "Irish-American Heritage Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

Mr. RIDGE. Mr. Speaker, reserving the right to object, clearly we have no objection to this joint resolution, and I simply claim the reservation to acknowledge the work of the gentleman from New York [Mr. MANTON], who is the chief sponsor of this resolution.

Mr. MANTON. Mr. Speaker, I rise today in support of House Joint Resolution 350, a resolution I introduced to proclaim the month of March 1992, as "Irish-American Heritage Month." I am pleased that 218 of my colleagues have joined me in sponsoring this important resolution. I would also like to thank Chairman SAWYER for bringing this resolution to the floor.

House Joint Resolution 350 celebrates the heritage of over 40 million Americans of Irish descent. Irish-American Heritage Month is designed to honor all Irish-Americans and complement the hundreds of parades and activities sponsored around the United States every March in honor of St. Patrick's Day.

Mr. Speaker, Irish-Americans have played an important role in U.S. history. Irishman James Hoban designed the White House and assisted in the construction of the U.S. capitol over 200 years ago. Irish-born troops fought nobly in Antietam on the fields known now as "Bloody Lane" 130 years ago. Irish-Americans have contributed greatly to the enrichment of all aspects of life in the United States.

The idea for an Irish-American Heritage Month was first conceived by the late John W. O'Beirne, chairman of the American Foundation for Irish Heritage. The passage of this resolution will serve as a tribute to his hard work and dedication to increase the awareness of Irish-American heritage.

Again, I would like to thank my friend Mr. SAWYER for bringing House Joint Resolution 350 to the floor today. I urge my colleagues to join me in supporting this important resolution.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 350

Whereas the President of the United States for the first time designated March 1991 as "Irish-American Heritage Month";

Whereas for the first time the Governors of 28 States also designated March 1991 as "Irish-American Heritage Month";

Whereas the Mayors of Boston, Chicago, St. Louis, San Francisco, Savannah and Washington, D.C., designated March 1991 as "Irish-American Heritage Month";

Whereas 200 years ago the Irish-born James Hoban designed the White House and later assisted in the building of the United States Capitol;

Whereas 130 years ago Irish-born troops fought valiantly on the fields now known as "Bloody Lane" at Antietam;

Whereas on March 17, 1991, St. Patrick's Day, 220 community parades honored the patron saint of Ireland;

Whereas the Irish and Irish descendants have contributed greatly to the enrichment of all aspects of life in the United States, including military and governmental service, science, education, art, agriculture, business, industry, and athletics; and

Whereas more than 40,000,000 individuals in the United States claim Irish ancestry: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That March 1992 is designated as "Irish-American Heritage Month", and the President of the United States of America is authorized and requested to issue a proclamation calling upon the people of the United States to observe the month with appropriate programs and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 395, House Joint Resolution 343, and House Joint Resolution 350, the joint resolutions just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 102-177)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Joint Eco-

nomics Committee; and ordered to be printed.

ECONOMIC REPORT OF THE PRESIDENT To the Congress of the United States:

1991 was a challenging year for the American economy. Output was stagnant and unemployment rose. The recession, which began in the third quarter of 1990, following the longest peacetime expansion in the Nation's history, continued into 1991. The high oil prices and the uncertainty occasioned by events in the Persian Gulf were quickly resolved with the successful completion of Operation Desert Storm early in the year. Most analysts expected a sustained recovery to follow. Indeed, signs of a moderate expansion began to appear in the spring. Industrial production and consumer spending rose for several months. By the late summer, however, the economy flattened out and was sluggish through the rest of the year.

Our recent economic problems are a reminder that even a well-functioning economy faces the risk of temporary setbacks from external shocks or other disturbances. Market economies, such as the United States, are continually restructuring in response to technological changes and external events. Occasionally, structural imbalances develop that can interrupt economic growth. The American economy experienced an unusual confluence of such imbalances in recent years, for example in the financial and real estate sectors, and in household, corporate, and governmental debt. At the same time, a major reallocation of resources from defense to other sectors has been under way. Not least, the lagged effects of a relatively tight monetary policy coupled with problems in the availability of credit, especially for small and medium-sized businesses, dampened economic growth.

The U.S. economy, however, remains the largest and strongest in the world. The American people enjoy the highest standard of living on earth. American productivity is second to none. With less than 5 percent of the world's population, American produces a quarter of the world's output.

As we move into 1992, the fundamental conditions to generate economic growth are falling into place. Interest rates are at their lowest levels in decades and should help boost investment and consumer spending. Inflation is down and expected to remain relatively low. Generally lean inventories imply that increases in demand will be met mainly from new production, which will generate gains in employment and income. America's international competitive position has improved, as evidenced by record levels of exports.

Nevertheless, the United States faces serious economic challenges: To speed, strengthen, and sustain economic recovery; and, simultaneously, to provide

a firmer basis for long-term growth in productivity, income, and employment opportunities. In both my State of the Union Address and my fiscal 1993 Budget, I presented a comprehensive program to encourage short-term recovery and long-term growth. I have already taken steps to accelerate job-creating Federal spending, to adjust income tax withholding that will add about \$25 billion to the economy over the next year, and to renew the attack on excessive regulation and redtape that hamper business formation and expansion and job creation. I will also continue to support a monetary policy that keeps inflation and interest rates low while providing adequate growth of money and credit to support a healthy economic expansion.

Most of my program will require congressional action. In addition to the executive actions I have already announced, my immediate agenda includes:

- Investment incentives to promote economic growth: a reduction in capital gains tax rates; a 15-percent investment tax allowance; and an improved alternative minimum tax.

- Incentives to help revive real estate: a \$5,000 tax credit for first-time homebuyers; penalty-free withdrawals from individual retirement accounts for first-time homebuyers; low-income housing credits; tax preferences for mortgage revenue bonds; a modified passive loss tax rule; and a tax deduction for losses on the sale of a personal residence.

My intermediate and longer term agenda includes:

- Investment in the future: record levels of spending for Head Start and anticrime and drug abuse programs; a comprehensive Job Training 2000 initiative, which will enhance the skills and flexibility of our work force; record levels of spending for research and development and infrastructure; record spending on math and science education; and Enterprise Zones.

- Pro-family initiatives: an increase in the personal tax exemption for families with children; new flexible individual retirement accounts for health, education, and first home purchases; and tax deductibility of interest paid on student loans.

- Comprehensive health reform: vital cost containment measures and tax credits for the purchase of health insurance.

Also before the Congress is an urgent unfinished agenda that I proposed earlier, including financial sector reform to make our banking system safer, sounder, and more internationally competitive; the America 2000 education reforms necessary to meet the national education goals, produce a new generation of American schools,

and provide the choice and competition that will promote better performance and strengthen accountability; the National Energy Strategy to meet our Nation's energy needs through a combination of enhanced production, diversification of sources, and conservation, thereby enhancing our energy security; and legal reforms to reduce the litigiousness that unnecessarily adds to costs and stifles innovation and productivity.

Successful completion of the Uruguay Round of the General Agreement on Tariffs and Trade and a North American free-trade agreement remain major priorities. I also urge congressional action on the Enterprise for the Americas Initiative. These market-opening initiatives will spur growth and create jobs.

My program can be accommodated within the limits established in the budget agreement of 1990. I am also asking the Congress for budget process reforms: a line-item veto and caps on so-called mandatory programs to control the growth of government spending. Maintaining fiscal discipline is essential to reallocating resources toward investment in the future.

These proposals are described in detail in the fiscal 1993 Budget, and in legislative proposals I am forwarding to the Congress. The Annual Report of the Council of Economic Advisers, which accompanies this Report, discusses the strengths of the U.S. economy and the challenges it faces in the short run and the long run. It also explains how my comprehensive economic growth proposals are designed to move us toward a more prosperous America.

GEORGE BUSH.

THE WHITE HOUSE, February 5, 1992.

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CIA CASTING ABOUT FOR NEW MISSIONS

THE SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. ALEXANDER] is recognized for 5 minutes.

Mr. ALEXANDER. Mr. Speaker, the debate continues on the preeminent issue of U.S. policy after the cold war. I commend the following article to my constituents for their consideration.

The article follows:

[From the New York Times, Feb. 4, 1992]

C.I.A. CASTING ABOUT FOR NEW MISSIONS

(By Elaine Sciolino)

WASHINGTON, February 3.—Standing in a nondescript conference room in a convention hotel in East Brunswick, N.J., James T. Fitzgerald does what he has been doing for the last 25 years: pitching the Central Intelligence Agency to aspiring recruits.

"It's not like the James Bond movies," he explains to 28 men and a woman, college graduates invited to the orientation on the basis of their résumés. "The more you learn about the C.I.A., the more you read about it, the more unromantic it becomes."

For an hour, Mr. Fitzgerald works with the group but never uses the words "Soviet," "enemy" or "covert," or even "espionage." Rather, he tells his audience that the mission of the agency is now so diverse it "could probably staff a small university."

Like a secret agent who carries an invented history and clean passport to a new post, the C.I.A. is struggling to create a new, post-cold-war identity. If Robert M. Gates, the Director of Central Intelligence, could have his way, the spy agency would shed its popular image as a hotbed of operators who conduct covert actions around the world, or seduce foreigners into committing treason in the interests of America's national security.

A child of the cold war nurtured on an us-versus-them mentality, the C.I.A. is longing to be accepted as a benign arm of the government bureaucracy, the place to come for cutting-edge information on everything from the effects of the AIDS epidemic on the emerging leadership of Africa to the possibilities of war in the Middle East over water resources.

In fact, some of the recruits said they were attracted to the C.I.A. not by the prospect of spy-movie adventure. They came for job security.

"I'm trying to get into something more structured, more stable than the job I have," said a 27-year-old man, an economics graduate who is working as a supervisor of cashiers in an Atlantic City casino. "All I need to do now is count," said the candidate, who asked not to be identified. "I'm choosing the C.I.A. because the benefits are good. The Government takes care of you."

COVERT ACTION DE-EMPHASIZED

Only a decade ago, the agency was leading clandestine military operations against the Soviet Union or its proxies in countries like Afghanistan, Angola and Cambodia. Those covert operations have ceased, as the Soviet Union withdrew from regional conflicts, then broke apart.

"In terms of dollars, the investment in covert action has already plummeted," said Gary E. Foster, the C.I.A.'s Deputy Director for Planning and Coordination.

Mr. Gates has even approved the recommendations of an "openness task force" to declassify millions of documents and make senior officials accessible to the public. "Transparent is now the operative word," a C.I.A. reformer says—a revolutionary idea in an environment where success has been measured by the ability to remain opaque.

Still, the covert side has not disappeared. The agency argues that it still needs covert operators, in part to sift the increasing volume of information that is coming from newly opened societies. And it continues to give recruits a small gray pamphlet that promises adventure and unpredictability in the "clandestine service."

"The call may come in the middle of the night or on a rainy Sunday morning, or it may interrupt a dinner party or a daughter's graduation," the pamphlet says. "If it is urgent, the case officer exits his social and cover life to meet with an agent in a corner of a deserted park, at a table in a bistro, or in a safehouse."

SECRETS—SLEUTH IN DEMAND HAS AN M.B.A.

But now, the way to move up in the agency is no longer to run successful operations against the Soviet enemy.

The M.B.A. who can trace a tortuous money trail through a foreign banking system is coming to be more important than the trench-coated spy who can follow an

enemy agent through a back alley overseas. As Mr. Fitzgerald tells his young charges, "We're really looking for economists these days."

Similarly, the skills of thousands of people who collect Soviet military communications with satellites and other technical means are becoming obsolete.

After a decade or so when satellites were pre-eminent, it is becoming clearer that they are unable to discern intentions. Aerial surveillance could not penetrate the mosques or teahouses of Teheran to test the depth of opposition to the Shah. Nor could it watch Saddam Hussein's inner circle to figure out whether Iraq would use the tanks and troops it had massed on the Kuwaiti border.

"There's no real need for Field Station Berlin, or a variety of listening posts in Germany, which, among other things, listened to Warsaw Pact military communications," said Jeffrey T. Richelson, the author of several books on American intelligence agencies. "Not when there's nothing more to listen to."

CHANGES—WITHOUT RED PERIL, WHO'S THE ENEMY?

C.I.A. soul-searching stems not just from a belief that the world has become safer. There's also the realization that in a world where the postwar enemy has ceased to exist, the C.I.A. and its handful of sister agencies, with their billion-dollar satellites and mountains of classified documents, must somehow remain relevant in the minds of Americans.

This situation raises anew a question that Senator Daniel Patrick Moynihan, Democrat of New York, asks: Without the Soviet threat, why not just abolish the C.I.A. and let the State Department take over?

For 40 years the threat of nuclear war drove the C.I.A., along with the other agencies and departments that make up the \$30 billion-a-year constellation that is often called "the intelligence community." Included are the National Security Agency, which is responsible for eavesdropping around the world; the Defense Intelligence Agency, the Pentagon's intelligence arm; the National Reconnaissance Office, which manages satellite intelligence, and analytical intelligence pockets tucked away in the State, Commerce and Treasury Departments.

Few if any C.I.A. officials agree with the notion that the intelligence agencies still need to focus 60 percent of their resources on the Soviet threat. In recent months, the atmosphere has been so cozy that shortly after Robert S. Strauss arrived in Moscow last summer to take up his post as President Bush's Ambassador, the K.G.B. handed him detailed wiring diagrams for listening devices in the new United States Embassy. K.G.B. agents wearing visitors' badges are being given tours of the C.I.A. and the F.B.I.

William E. Colby, a former C.I.A. chief, tells of sitting around a table with the heads of half a dozen Eastern European intelligence services at a planning conference in Bulgaria in November, lecturing them on how to function in a democratic society.

"It knocked me out," Mr. Colby recalled. "I told them, 'Well, it is possible to run an intelligence service in a free society. It's a bit of a nuisance,' I said, 'but you can work out relations with Congress and adjust to a bill of rights and an independent judiciary.'"

As the conference unfolded, the Bulgarians agonized over what to do about their old boys schooled in the practice of torture, while others wondered what to do with their potentially explosive files. Mr. Colby was so struck by the new mood that he said enthusiastically, "Isn't it wonderful to be allies?"

The overwhelming sense that opponents have become allies has prompted him to tape a message of peace for the Coalition for Democratic Values, an organization of liberal Democrats founded by Senator Howard M. Metzenbaum of Ohio.

"I'm William Colby, and I was head of the C.I.A.," he says in a recent 30-second television commercial. "The job of intelligence is to warn us of dangers to our military. Now the cold war is over, and the military threat is far less. Now it is time to cut our military spending by 50 percent and invest that money in our schools, health care and our economy."

ECONOMICS—A CREATIVE TOUCH TO THE TRADE WARS

The intelligence agencies have so far been only peripheral players in a vital post-cold-war struggle: the effort to retain American economic primacy among the world's industrial nations.

As the military threat has receded, the belief that American security rests in economic strength has grown. As a result, many analysts are asking: Why not give the C.I.A. and its sister agencies the task of making the United States more competitive by spying on foreign corporations and turning over their secrets to their American counterparts?

Ethical objections aside, the critics of such an idea speak of the independence of American companies from government, and say: they do not want Washington to become the handmaiden of industry. And as intelligence officers are fond of saying, they may be willing to die for America, but not necessarily for General Motors.

The most the C.I.A. will do, Mr. Gates has said, is to scrutinize the trade and financial transactions of foreign governments, particularly those of allies who are helping their industries at America's expense, and to investigate global developments in high-tech areas that affect national security. Together with the F.B.I., the C.I.A. will also step up efforts to prevent foreign corporations and governments from stealing secrets.

"We know that foreign intelligence services plant moles in our high-tech companies," Mr. Gates said during his confirmation hearings last fall. "We know that they rifle briefcases of our businessmen who travel in their countries. We know that they collect information on what we're doing, and I think the C.I.A. and F.B.I. working together should have a very aggressive program against it."

But, he added, "There is a lot of concern about doing industrial espionage, if you will, and I frankly don't think that U.S. intelligence should be engaged in that."

Other officials say they cannot become the policemen for American business. The F.B.I. recently reassigned more than 300 of its counterintelligence agents to drug trafficking and domestic problems, reflecting its changing priorities at a time when spying by Eastern European intelligence services has virtually disappeared.

"If it's just a question of an American company getting beat out by another company, I don't think we'd launch a major intelligence investigation," said Wayne Gilbert, assistant director of the F.B.I.'s intelligence division. "When a foreign company actually puts agents in a company for a long period of time in a way that directly affects national security, that's when we'll act."

LANGUAGES—AGENT OF TODAY IS FLUENT IN UZBEK

As soon as he was confirmed in November, Mr. Gates began defining a new role for the

agencies he took over, arguing that they were still preoccupied, by habit and organization, with a Soviet military machine that no longer existed. If he did not make major changes and specify budget cuts, he told intelligence officials on Dec. 4, Congress would do it for him.

As these agencies adjust to the new global realities, they are organizing around three loosely connected central concepts: the disintegration of the Soviet Union and the instability this has spawned; the spread of weapons of mass destruction, including a new risk that there are some in the former Soviet Union who would peddle their weapons and their expertise around the world, and the continued existence of totalitarian governments.

President Bush's National Security Directive No. 29, issued in November, dealt with intelligence requirements until the year 2005. It spoke of an urgent need for "a top-to-bottom examination of the mission, role and priorities of the intelligence community."

Mr. Gates hopes to devise a plan for restructuring by the end of March. Because the intelligence agencies' budget will surely shrink by billions of dollars, he intends to take the same approach that a wedding caterer might: He'll offer a range of menus for different budgets.

Many intelligence managers resist change, though. At the F.B.I. Mr. Gilbert says he has detected no marked decrease in spying on the United States by the new Russian version of the K.G.B. That assessment is shared by the C.I.A.

Arguing that the major espionage cases of the last 15 years have involved people selling secrets for money, Mr. Gilbert says the F.B.I. must remain vigilant against those who continue to sell secrets, even if Moscow's Embassy is no longer the primary bazaar.

"We don't want to rush out and have those warm, fuzzy feelings and then suddenly find there are new systems established to infiltrate our services," he said in an interview. "I'm not throwing cold water on the idea that we are one, big peaceful world. I just have to be cautious."

The C.I.A., for its part, has taken some tentative steps to reorganize. Last summer it cleared a wing of one of its buildings to make space for a Non-Proliferation Center that is now staffed by almost 100 experts. At the same time, the agency has disbanded its Soviet insurgency branch and its Soviet disinformation unit. In the last two years, it has cut its Soviet foreign policy staff by two-thirds and its weapons analysis staff by 25 percent. But agency officials are reluctant to make changes that cannot be reversed.

"It's not an on-and-off switch," said George Kolt, director of the Office of Soviet Analysis, lately renamed the Office of Slavic and Eurasian Analysis. "You can't say to someone, 'You do research on Uzbekistan because people are interested in it,' then tomorrow say, 'Go do research in Latvia.' You have to train people. You can't switch people out of the blue."

Critics argue that neither the C.I.A. nor the State Department can cope with the deluge of newly available material since the Soviet collapse. They say that the government is woefully lacking in language skills at a time of need—when, for instance, Ukraine's Foreign Ministry has switched its news conferences from Russian to Ukrainian, and when a recent oil deal between Azerbaijan and Iran was announced in Azerbaijan.

"Before last September you could follow the non-Russian republics by reading only

Russian, because the Russian press was at least as official as the non-Russian press," said Paul Goble, until recently the State Department's leading expert on Soviet nationalities and now at the Carnegie Endowment for International Peace. "Now the opposite is true, and you're in big trouble if you can't read the local language."

Asked whether it was difficult to find people to translate newspapers from the various republics, an intelligence official remarked: "Translate them? We don't even get them!"

Mr. Gates, during his confirmation hearings, acknowledged that the agency had been so focused on the inner workings of the Kremlin that it had to rely on travelers for information about the republics.

FRONTIERS—THRILL IS GONE; MISSION CONTINUES

But reorganization and language training will not provide the intelligence agencies with a program that can compare with its grand, global, cloak-and-dagger mission of the cold war. They are taking on new issues, without the consensus that existed before. Proponents are calling them essential, while detractors say they are make-work—"organizational maintenance," as Senator Moynihan puts it.

"In many ways the situation today is similar to 1947, when the C.I.A. was first created," said Adm. Bobby Ray Inman, former Deputy Director of Central Intelligence. "The essence of intelligence wasn't yet us-versus-them, but was driven by challenges of the moment: How do you locate scarce resources, or how do you govern a liberated country? You needed encyclopedic knowledge about the world because you didn't know where next challenge would come from."

Whoever is proved right, it is difficult to imagine how analysts or covert operators can get as excited about the environmental impact of Brazil's shrinking rain forest or the dumping of toxic waste in Eastern Europe as they did about the life-and-death struggle between East and West.

Still, senior agency officials insist that the C.I.A. will have no problem finding a mission.

"If ever there was a non-problem, this is it," said John L. Helgeson, the C.I.A.'s Deputy Director for Intelligence, in an interview.

"So many people are asking us so many things—on China, on Yugoslavia, on North Korea; Proliferation—it's a growth industry at the moment like no other. We could put everyone in the agency in proliferation and narcotics, and we still wouldn't solve the problems."

THE NATIONAL SECURITY ACT OF 1950

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. McCURDY] is recognized for 5 minutes.

Mr. McCURDY. Mr. Speaker, in the more than four decades since the enactment of the National Security Act of 1947, responding to a single threat—that posed by the Soviet Union—has been the chief preoccupation of the United States. The potential possessed by the Soviets to destroy our Nation through a nuclear attack has shaped our foreign policy, military strategy, and political debate.

With the demise of the Soviet Union, that threat has been substantially reduced. Just as

our public discourse must adjust to this new reality, the governmental organizations which have been primarily focused on the Soviet Union must also be reevaluated. This process has begun for the Armed Forces, and it must be undertaken for our intelligence agencies as well.

I have today introduced legislation, the National Security Act of 1992, which is intended to stimulate debate on the role the U.S. intelligence community should play in the Nation's future, and the way it should be organized to operate effectively. Despite the Appearance of centralized authority given by the names of some of its components, the intelligence community has developed over the years in a largely uncoordinated way. This has made it difficult for anyone to be confident that intelligence resources were being deployed efficiently in support of national priorities. Frequently, the result has been unnecessary duplication of effort which has produced mountains of information, but little useful intelligence.

My bill seeks to address this problem by establishing a Director of National Intelligence [DNI]. The DNI will be directly responsible to the President for the provision of intelligence advice and the conduct of the activities of those organizations involved in the collection, analysis, production, and dissemination of national, as opposed to tactical military, intelligence. This coordinating responsibility will be exercised through control of the National Foreign Intelligence Program [NFIP] budget. The ability to allocate both dollars and people among NFIP components will enable the DNI to ensure that national priorities are addressed effectively, and at the least possible cost.

The legislation creates two Deputy Directors of National Intelligence to permit a division of the chief responsibilities of the intelligence community along functional lines. A Deputy DNI for the intelligence community will be responsible for the coordination of the community's human signals, and imagery intelligence activities, the crisis and warning function, as well as general administration of the community. The other Deputy DNI, for Estimates and Analysis, will be responsible for the community's analytical and estimative activities. It is my hope that the clear division which will be created between intelligence operations and intelligence analysis will make it possible for there to be a much more open exchange of information between scientists, academicians, business leaders and intelligence analysts than has been possible in the past.

Under the bill, the Central Intelligence Agency will remain but its size will be significantly reduced and the scope of its mission restricted. With most of its analytical function, as well as several other activities, transferred to the Deputy DNI for Estimates and Analysis, the CIA will exist to provide the DNI with an operational element to undertake human intelligence activities, as well as those special duties assigned by the President or the National Security Council. The CIA will be physically separated from the National Intelligence Center which will house the DNI and his or her deputies, to underscore that, while the Agency still has a role to play, it will no longer be the driving force in the intelligence community.

While intelligence will need to respond to a very different set of challenges in the future,

its traditional role in support of military commanders will remain. My bill makes sure that the new structure for National Intelligence will not only be relevant to the needs of the military, but address those needs on a priority basis in a time of conflict or crisis.

The need for change in the intelligence community is widely recognized. The new Director of Central Intelligence, Robert Gates, has commissioned task forces to examine a number of structural issues. Legislation nearly identical to mine has been introduced by the chairman of the Senate Intelligence Committee, Senator BOREN. I hope that we can all work together to identify areas of common concern and craft solutions. The bill I have introduced is intended to play a helpful role in that process. Our goal should not be to invent new missions in an effort to justify the maintenance of an immense intelligence apparatus. Rather our goal should be to ensure that our national intelligence agencies are properly focused and structured to respond to those real intelligence needs which can reasonably be expected in the future. This legislation suggests a focus and structure for that purpose and I look forward to discussing it with the witnesses who will testify at hearings the Intelligence Committee will soon begin on these issues.

THE OCTOBER SURPRISE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN of California. Mr. Speaker, I want to do a little clarification here on the debate that raged and waxed and waned in this Chamber all afternoon on the so-called October Surprise.

For the rest of my life, the October Surprise to me will be October of 1990, not October of 1980. The surprise in October of 1990 was when our great President said, "Unread my lips," basically and suddenly we had a tax-raising measure on the cusp of a recession that threw us into a long, nagging recession, the longest we have had since World War II, and it is still clinging to us and costing a lot of Americans, men and women, grief as they lose their jobs.

But let us take the so-called October Surprise that we discussed here all today. First of all, here is the final vote, and Americans should be aware of how close we came to not spending this \$3 million in this science fiction, and the vote was 217 to fund this investigation, to investigate as it says on our computer readout, certain allegations concerning the holding of Americans as hostages by Iran in 1980. Well, of course, they had been there since November 4, 1979. The vote was 217 to have this investigation, 192 noes.

The Republican Party voted consistently, every one of those present, 158, 8 not voting. Of the majority party, it was 216 yes, and the 1 independent, the gentleman from Vermont [Mr. SAND-

ERS], made it 217. Thirty-four of my colleagues on the other side of the aisle, on the majority side, Democrats, said no.

One of them I would like to make mention of, the distinguished gentlewoman from Maryland [Mrs. BYRON], because I mentioned her during my remarks during the debate.

I said that as far as I knew only one majority Member had flown the world's most exotic airplane, and there are still two flying for NASA at Edwards Air Force Base. All the rest have been offered to museums or mothballed, and that is the Blackbird, which holds every speed and altitude record in the world. It has held those records for decades. It was an absolute wonder of aerospace technology, the Blackbird, the SR, Strategic Reconnaissance, 71, which would fly over 80,000 feet, three times the speed of sound, and served us around the world until about 2 years ago when it was foolishly and prematurely shut down because we could have certainly used it in Desert Shield and Desert Storm. Everyone conceded that.

□ 2230

Now, I said that the gentlewoman from Maryland [Mrs. BYRON] having flown that aircraft and the gentleman from Arizona [Mr. STUMP] and myself having flown it on this side were all asked, and I confirmed this with the gentlewoman from Maryland [Mrs. BYRON] tonight, to give up 3 days out of our lives to go out to Beale Air Force Base in Marysville, CA, and not only get simulator training, which I mentioned on the floor, and not only get hours and hours of study and education on physiological training beyond anything I had ever had to fly F-100's or F-86's in the Air Force or to fly, just as I have been a Congressman, five times in F-16's, four times in F-15 Harriers, 14-A-6's, everything in the arsenal I have flown on my physiological training card which I get at Andrews Air Force Base, giving them about half a day.

The SR-71 again requires 3 days. The gentlewoman from Maryland [Mrs. BYRON] said to me, "Bob, you forgot to mention the altitude chamber."

Now, to get your card for any Member to see what we are spending our money on or any young guy going through jet pilot training or any young lady in the Air Force, Marine Corps, or Navy, you have to go through an altitude chamber. They take you up to 45,000 feet, bring you down to about 35,000. You take your mask off and try to learn what your personal signature is for hypoxia, because it can kill you. If you do solo in a jet fighter, it costs the Government not only your precious life and all your training money expended on you, but a highly expensive airplane.

Well, the gentlewoman from Maryland [Mrs. BYRON] reminded me that we

were taken up to over 80,000 feet in that altitude chamber.

The reason I brought this up was to make this whole October thing work and involve George Bush who had then been in the private sector for 4 years under President Carter, the Commander-in-Chief of all our military forces, who used very effectively that Beale Air Force Base wing, the SR-71's, the 9th Strategic Reconnaissance Wing, Bush, a civilian, would have had to have been stuffed into the back seat of this SR-71, flown across the Atlantic against the prevailing jet stream, would have required three refuelings with the 100th Strategic Refueling Wing, also assigned at Beale, and that wing carries a special fuel for the SR-71. It is called JP-7. That is the only airplane that uses that fuel in the world. It is a big logistical operation to fly SR-71's out of Okinawa, which was one of their then classified bases, or another classified base in England, Elkinberry, to fly them around the world was a very complex operation.

No way was George Bush put in the back seat of an SR-71, kicking out the navigator and the electronic systems navigation officer, the EWO, kick him out, put the President in and launch him back to New York so he could get back on the campaign trail as the Vice President in the careful closing days of the campaign, which was then too close to call, October of 1990.

No, my colleagues and Mr. Speaker, the October Surprise is science fiction and we are going to waste over \$3 million.

I honor the 34 Democrats who joined the 158 Republicans and said, "No way."

Too bad we lost.

THE TRAGEDY OF JOE DOHERTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. ENGEL] is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker, I rise today to express my dismay at the recent Supreme Court decision to uphold the deportation of Irishman Joe Doherty and deny him a fair hearing on this political asylum claim.

Joe Doherty has been imprisoned here in America for nearly 8 years, having never been charged in an American court with committing a crime. That is unprecedented in American history, and I might add, frightening.

During his 8 years of battle within the United States court system, Joe Doherty was sustained by a strong belief that here, in America, he would surely get a fair chance to tell his side of the story—a chance to make people understand the poverty and ridicule his family faced simply because they were Catholics subjected to discrimination in the North of Ireland.

But because the Attorney General in the United States has almost absolute

discretionary powers in matters of deportation, a succession of court victories by Doherty were wiped out by the Reagan and Bush administrations. Joe has never even been given that chance to be heard.

And that is the tragedy of this case, Mr. Speaker, the aspect that disturbs me so deeply. Whether or not a person agrees with Joe Doherty, most would tell you that he at least deserves a fair hearing. After all, that is what America is all about. This Nation was founded by political dissidents and religious refugees who set up a court system specifically designed to protect the rights of the individuals. Yet an individual such as Joe Doherty can find no justice here.

So who will be denied justice next? If a refugee can be denied a fair hearing by a nonelected government official, it must make some people wonder how far these powers can extend. It should make all of us in Congress very concerned.

Attorney General Barr has the discretion to grant Joe Doherty a fair hearing, despite the Supreme Court's decision. The Attorney General should immediately grant Joe Doherty his hearing. Due process and equal protection are constitutional guarantees that are supposed to apply to everyone in America.

Mr. Speaker, it is clear to me that the Reagan and Bush administrations have played politics with this issue and have followed the dictates of Great Britain in denying Joe Doherty his right in an American court. Joe Doherty should not be deported where he could face torture and even death.

Mr. Speaker, it is often said that justice is blind, but in the case of Joe Doherty it is clearly the Reagan and Bush administrations that have had their blinders on.

THE REPRODUCTIVE FREEDOM PROTECTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mrs. LOWEY] is recognized for 5 minutes.

Mrs. LOWEY of New York. Mr. Speaker, last Sunday's "60 Minutes" brought to public attention the tactics employed by the "Lambs of Christ" and other radical antiabortion activists who not only oppose abortion but go much further to take the law into their own hands in vigilante fashion. These groups harass, intimidate, and threaten doctors around the country by picketing their homes, frightening their children and threatening their lives. They use the same tactics against patients as well.

The Lambs of Christ and their allies seek to take away women's rights through their own outrageous actions without regard to the law of this Nation or the localities in which they act. While these individuals have a constitutional right to free speech and to express their own views, these antichoice fanatics have gone too far.

In North Dakota, no doctors perform abortions, so Dr. Susan Wicklund flies 200 miles from Minnesota each week to provide abortion services. Not only is Dr. Wicklund's home picketed and driveway blocked, but fliers have been distributed at her children's school saying that Dr. Wicklund is a baby killer. She has been forced to hire private security guards to protect her property.

Dr. Wicklund's situation is not unique. Health care providers in nearly every State in the Union face similar instances of harassment and stalking, and local law enforcement officials have not fully enforced existing statutes which prohibit such behavior.

In El Paso, TX, antichoice fanatics are picketing the homes of physicians, and following clinic staff as they drop off their children at day care.

In Columbus, GA, radical antichoice activists announced that they were going to put a physician who performs abortions out of business.

In Columbus, OH, a clinic director's children were told that they were "going to be orphans."

In Phoenix, AZ, a clinic administrator has received death threats and rocks were thrown through the window of her home. Within an hour after one of the death threats, her dog was drowned.

In each instance, local responses were inadequate to protect the rights of health care providers, patients and their families who are the victims of harassment.

During recent demonstrations in Washington, DC, Randall Terry, the leader of Operation Rescue, said that his group will begin to target doctors who perform abortions. He said, "we're going to do everything we can to torment these people, to expose them for the vile, blood-sucking hyenas that they are." He also advocated violence when he led a prayer for tragedies to befall the families of abortion providers.

Despite the heroic efforts of clinic staff, physicians and supporters of the right to choose, these vigilantes are having a profound effect on access to abortion in the United States. More and more physicians are refusing to provide this service, not because they do not support the right to choose, but because they can only take the harassment, and fear for so long.

Today, 83 percent of the counties in the United States have no abortion provider. Every year the number of abortion providers in the United States drops. Fewer medical students are learning to perform abortions because teaching hospitals and medical schools are seeking to avoid harassment from anti-abortion groups. In fact, over the last decade, the number of medical residency programs offering abortion training declined by 22 percent.

We cannot allow these illegal acts to be ignored. We must protect those individuals providing safe, legal abortion services and the women who are seeking to exercise this constitutionally-protected right. We cannot leave health care providers and women out in the cold.

Yesterday, I introduced legislation to require local governments to enforce fully existing local harassment and disorderly conduct laws against antichoice fanatics as a condition for receiving community development block grant

[CDBG] Funds. Congress has already enacted provisions to require localities to enforce trespassing laws during clinic blockades in order to receive those funds. My bill would expand on current law by requiring communities to enforce local antiharassment laws to protect abortion providers in the conduct of their personal and professional lives. The legislation also protects women who exercise their right to choose from similar harassment activities.

I urge my colleagues to cosponsor this bill. No law-abiding citizen can condone individuals who take the law into their own hands by harassing, intimidating and threatening health care providers for their legal, professional activities. Nor should we allow similar tactics to be used against individuals who exercise their constitutionally protected right to choose.

OPPOSITION TO PRESIDENT BUSH'S PROPOSED TAX ON CREDIT UNIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, I rise today to oppose the administration's plan in its 1993 budget to repeal the tax exemption for credit unions.

Once again, the administration has proposed financing the Government on the backs of the middle class, while giving the upper class tax breaks. The administration proposal would punish a healthy industry set up for the benefit of lower and middle income Americans.

While reducing the tax on capital gains income and repealing the tax on the purchase of luxury items such as boats and airplanes, proposals that would disproportionately benefit wealthy Americans, President Bush wants to tax credit unions with assets over \$50 million, a tax that affects the lower and middle class Americans who make up the vast majority of credit union members.

WHY CREDIT UNIONS ARE TAX FREE

In 1937, Congress granted credit unions an exemption from Federal income taxes to enable credit unions to provide financial services to those who were at a disadvantage in obtaining these services elsewhere. Credit unions are an alternative to the "for profit" banking system, since they are owned and run by their members.

Congress did not make the exemption contingent on a credit union's size, the relative affluence of its members, or on the classification of its field of membership. It was granted on the basis of its member ownership and control. That was the right decision then, and it is the right decision now.

ROLE OF CREDIT UNIONS IN OUR ECONOMY

President Bush claims that repealing credit unions' tax free status is necessary to put banks and thrifts on an equal tax footing with credit unions.

But credit unions are different animals from banks and savings associations.

Credit unions are not-for-profit organizations with only one purpose: providing services and credit to their members, who are individuals with a common bond.

They are democratically based organizations with each member having a vote on the structure and operation of their credit union.

Credit unions have been so successful that they are being exported to Eastern Europe and Third World countries as an example of democracy in action and sound economic organizations.

Credit unions give people who might otherwise go without financial assistance a place to save and borrow. Just as importantly, credit unions are a place of education where members may receive the financial counselling necessary for them to take advantage of opportunities to change their situation for the better.

MEMBERSHIP OF CREDIT UNIONS

There are 14,300 credit unions in the Nation, with a combined total membership of 61.6 million members and combined assets of \$235 billion. President Bush's proposal would affect almost 1,000 credit unions, with 32 million members—half of this Nation's credit union members. These credit unions hold over half of credit unions assets—\$147 billion.

Among the credit unions that would be taxed are 135 Federal, State, and municipal employee credit unions, 137 of the 250 military credit unions, employees of 191 of this Nation's largest manufacturing companies, and 120 education-related credit unions.

It is fair to say that the members of these credit unions, firemen and police, teachers and machine operators, soldiers and sailors, are members of the middle class.

They are people who work hard for their money. They use their credit unions for simple financial management—savings accounts, checking accounts, car and education loans, mortgage loans—and look to their credit unions as a place where they can get answers to their questions about how to buy a house, or the best way to save for retirement. They do not use their credit unions for high stakes, complicated investment opportunities.

Credit unions are not in that business. They are in the business of helping those people with just enough money to live on, or those trying to save for retirement or a home, not those people with the financial resources to "play" with their money in the form of risky real estate opportunities or business ventures.

Yet this administration proposes a tax of almost \$1 billion over the next 5 years on these people.

TAX NOT NECESSARY

Credit unions have prospered through adhering to the philosophy of "not for profit, but for service." The credit union industry has constantly proven to be successful in maintaining high capital levels and low losses.

Taxing credit unions is unnecessary and punitive for an industry that has done an outstanding job of serving its members and protecting against any taxpayer bailout of any federally insured credit unions. The National Credit Union Share Insurance Fund is the only Federal deposit insurance fund that has not required a Federal bailout. It is fully capitalized by credit unions.

We should not punish credit unions for being successful in order to help an ailing banking and savings association industry that is responsible for much of its own problems.

If bankers want to play on a level playing field, why don't they change their modus

operandi? Have them pay off all their stock holders; give each depositor one vote in the governing of the bank; don't pay directors any fees; limit the source of funds to its depositors. I doubt that bankers would want to adhere to these restrictions.

President Bush has once again retreated from his "no taxes" pledge. And remember, a tax on credit unions is just another disguised tax on the middle class. Because credit unions are not for profit, their members will take the hit for this tax in the form of higher borrowing costs, higher fees for services, and lower interest rates. Members of credit unions—the middle class—should not have to bear such costs.

There have been many proposals to tax credit unions in the past. Each one of them has been soundly rejected by Congress. Taxing credit unions is not fair and not necessary. Congress has recognized that for over half a century.

CONCLUSION

I have been a staunch supporter of credit unions ever since I came to Congress over 28 years ago. Credit unions were established to assist the little people. They have done an excellent job in accomplishing this for almost a century and they continue to do an excellent job for their members.

Why should we punish such successful credit unions by changing the framework under which they operate by taxing them?

The same reasons for granting them tax free status in 1937 exists today. Taxing those credit unions with assets over \$50 million would only be a beginning. It would be a slippery slope, and before we know it, all credit unions would be taxed.

I urge my colleagues to reject any tax on credit unions.

PERSONAL EXPLANATION

Mr. DYMALLY. Mr. Speaker, due to a medical appointment in Los Angeles, I was unable to vote on H.R. 4095, the Emergency Unemployment Compensation Act and House Resolution 258, the October Surprise task force resolution.

Had I been present, I would have voted "yea" on both bills.

PERSONAL EXPLANATION

Mr. DANNEMEYER. Mr. Speaker, I was unavoidably absent for rollcall votes, I would have voted "nay" on rollcall votes 9 and 10. Had I been present during these votes, I would have voted "nay" on rollcall votes 9 and 10.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOHNSON of Texas. (at the request of Mr. MICHEL) for today on account of death of his mother.

Mr. LIGHTFOOT (at the request of Mr. MICHEL) after 3:15 p.m. On account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legis-

lative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. RIDGE) to revise and extend their remarks and include extraneous material:)

Mr. CUNNINGHAM, for 60 minutes, today.

Mr. RIGGS, for 5 minutes, today.

Mr. THOMAS of Wyoming, for 5 minutes each day, on February 18, 19, and 20.

Mr. WALKER, for 60 minutes, today.

(The following Members (at the request of Mr. TAYLOR of Mississippi) to revise and extend their remarks and include extraneous material:)

Mr. ENGEL, for 5 minutes, today.

Mrs. LOWEY of New York, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. TOWNS, for 60 minutes, on February 27.

Mr. JONTZ, for 60 minutes each day, on March 3 and 10.

Mr. GEPHARDT, for 60 minutes each day, on February 7, 11, and 14.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. RIDGE) and to include extraneous matter:)

Mr. DUNCAN.

Mr. SOLOMON in two instances.

Mr. MCGRATH.

Mr. BLOOMFIELD.

Mr. GUNDERSON.

Mr. DOOLITTLE.

Mr. BEREUTER in two instances.

Mrs. MEYERS of Kansas in two instances.

Mr. PORTER.

Mr. RIGGS.

Mr. SUNDQUIST in two instances.

Mr. BLAZ.

Mr. CAMPBELL of California.

Mr. MICHEL.

Mr. CAMP.

Mr. GALLO.

Mr. LEWIS of Georgia in two instances.

Mr. SCHAEFER.

Mr. COBLE.

Mr. BURTON of Indiana.

Mr. RIDGE in two instances.

(The following Members (at the request of Mr. TAYLOR of Mississippi) and to include extraneous matter:)

Mr. NATCHER.

Mr. HOYER.

Mr. BONIOR.

Mr. FALEOMAVAEGA.

Mr. HAMILTON in four instances.

Mr. LEVINE of California.

Mr. KILDEE.

Mr. TALLON.

Mr. STARK.

Ms. LONG.

Mr. MATSUI.

Mr. ECKART.

Mr. TRAFICANT in three instances.

Mr. MILLER of California.

Mr. AUCOIN.

Mr. LANTOS.

Mr. DYMALLY.

Mr. RANGEL.

Mr. ERDREICH.

Mr. WISE.

Mr. CLEMENT.

Mr. ACKERMAN in two instances.

Mr. OWENS of New York.

Mr. MANTON.

Mr. SWETT in two instances.

Mr. LIPINSKI.

Mr. HUBBARD.

ENROLLED BILLS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4095. An Act to increase the number of weeks for which benefits are payable under the Emergency Unemployment Compensation Act of 1991, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1415. An act to provide for additional membership on the Library of Congress Trust Fund Board, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, a bill of the House of the following title:

On February 4, 1992:

H.R. 1989. A bill to authorize for the National Institute of Standards and Technology and the Technology Administration of the Department of Commerce, and for other purposes.

ADJOURNMENT

Mr. ENGEL. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until Friday, February 7, 1992, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2792. A letter from the Director, Office of Management and Budget and Director, Congressional Budget Office, transmitting a joint report containing the technical assumptions to be used in preparing estimates

of national defense function outlays for fiscal year 1993, pursuant to Public Law 102-190, section 1002(b); to the Committee on Armed Services.

2793. A letter from the Director, National Institutes of Health, transmitting a copy of the 14th annual report of National Institutes of Health Program in Biomedical and Behavioral Nutrition Research and Training for fiscal year 1990, pursuant to 42 U.S.C. 288b(c); to the Committee on Energy and Commerce.

2794. A letter from the Deputy Director, Defense Security Assistance Agency, transmitting the Department of the Air Forces's proposed lease of defense articles to Australia (Transmittal No. 06-92), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

2795. A letter from the Administration, General Services Administration, transmitting a draft of proposed legislation to improve the acquisition system; to the Committee on Government Operations.

2796. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2797. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2798. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the report of the Proceedings of the Judicial Conference of the United States held on September 23-24, 1991, pursuant to 28 U.S.C. 331; to the Committee on the Judiciary.

2799. A letter from the Adjutant General, Veterans of Foreign Wars of the United States, transmitting the financial audit for the fiscal year ended August 31, 1991, together with the auditor's opinion, pursuant to 36 U.S.C. 1101(47), 1103; to the Committee on the Judiciary.

2800. A letter from the Comptroller General, General Accounting Office, transmitting the results of the audit of the Export-Import Bank of the United States' financial statements as of September 30, 1990 and 1989, pursuant to 31 U.S.C. 9106(a); jointly, to the Committees on Government Operations and Banking, Finance and Urban Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3490. A bill to protect the public interest and the future development of interstate pay-per-call technology by providing for the regulation and oversight of the applications and growth of the pay-per-call industry, and for other purposes (Rept. 102-430). Referred to the Committee of the Whole House in the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAZ:

H.R. 4164. A bill to provide for the transfer of excess land to the Government of Guam, and for other purposes; jointly, to the Committees on Interior and Insular Affairs, Armed Services, and Government Operations.

By Mr. McCURDY:

H.R. 4165. A bill to reorganize the U.S. Intelligence Community, and for other purposes; jointly, to the Committees on Intelligence (Permanent Select) and Armed Services.

By Mr. DARDEN:

H.R. 4166. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from an individual's individual retirement account for use by such individual or the children of such individual in acquiring a first home, and to provide that a parent's guarantee of a loan to his child shall not be a gift for gift tax purposes; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 4167. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to require certain States to contribute to other States' shares of cleanup costs; to the Committee on Energy and Commerce.

By Mr. TORRICELLI (for himself, Mr. FASCELL, Mr. GUARINI, Mr. LAGOMARSINO, Ms. ROS-LEHTINEN, Mr. McCURDY, Mr. SMITH of Florida, Mr. SOLARZ, Mr. RICHARDSON, Mr. ENGEL, Mr. BURTON of Indiana, and Mr. Goss):

H.R. 4168. A bill to promote a peaceful transition to democracy in Cuba through the application of appropriate pressures on the Cuban Government and support for the Cuban people; jointly, to the Committees on Foreign Affairs, Ways and Means, Post Office and Civil Service, Energy and Commerce, Banking, Finance and Urban Affairs and Merchant Marine and Fisheries.

By Mr. GUNDERSON (for himself and Mr. OWENS of Utah):

H.R. 4169. A bill to establish a Council on Interjurisdictional Rivers Fisheries and to direct the Secretary of the Interior to conduct a pilot test of the Mississippi Interstate Cooperative Resource Agreement; to the Committee on Merchant Marine and Fisheries.

By Mr. VENTO (for himself and Mr. WYLIE):

H.R. 4170. A bill to amend the Bank Holding Company Act of 1956, the Revised Statutes of the United States, and the Federal Deposit Insurance Act to provide for interstate banking and branching, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. HASTERT:

H.R. 4171. A bill to extend the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Illinois; to Committee on Energy and Commerce.

By Mr. LIPINSKI (for himself, Mr. COSTELLO, Mr. SAVAGE, and Mr. SANGMEISTER):

H.R. 4172. A bill making supplemental appropriations to the Department of Transportation for the fiscal year ending September 30, 1992, and for other purposes; to the Committee on Appropriations.

By Mr. LIPINSKI:

H.R. 4173. A bill to impose restrictions on the importation into, and the sale within, the United States of certain motor vehicles; to increase the efficiency of domestic motor vehicle manufacturers; and for other pur-

poses; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. POSHARD:

H.R. 4174. A bill to prohibit Members of the House of Representatives from using official funds for the production or mailing of newsletters; to the Committee on House Administration.

By Mr. ROE (for himself, Mr. ANDERSON, Mr. MINETA, Mr. OBERSTAR, Mr. NOWAK, Mr. RAHALL, Mr. APPELGATE, Mr. DE LUGO, Mr. SAVAGE, Mr. BORSKI, Mr. KOLTER, Mr. LIPINSKI, Mr. TRAFICANT, Mr. LEWIS of Georgia, Mr. DEFazio, Mr. HAYES of Louisiana, Mr. CLEMENT, Mr. COSTELLO, Mr. JONES of Georgia, Mr. LAUGHLIN, Mr. GEREN of Texas, Mr. SANGMEISTER, Mr. POSHARD, Mr. BREWSTER, Mrs. COLLINS of Michigan, Ms. NORTON, and Mr. FORD of Michigan):

H.R. 4175. A bill to authorize the Secretary of Commerce to make grants to State and local governments for infrastructure projects in distressed areas, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. SARPALIUS (for himself, Mr. DE LA GARZA, Mr. STENHOLM, and Mr. COMBEST):

H.R. 4176. A bill to amend title 11 of the United States Code with respect to avoiding certain liens that impair exempt property; to the Committee on the Judiciary.

By Mr. SHAW:

H.R. 4177. A bill to temporarily suspend the duty on metal oxide varistors; to the Committee on Ways and Means.

By Ms. SLAUGHTER (for herself, Ms. OAKAR, Mrs. MINK, Mrs. SCHROEDER, Ms. PELOSI, Ms. NORTON, Mrs. UNSOELD, Ms. DELAUNO, Mrs. LLOYD, Mr. TOWNS, Mr. McDERMOTT, Mr. VENTO, Mr. FRANK of Massachusetts, Mr. LAFALCE, Mr. WELDON, Mr. SMITH of New Jersey, Mr. SCHEUER, and Mr. RANGEL):

H.R. 4178. A bill to amend the Public Health Service Act to provide for a program to carry out research on the drug known as diethylstilbestrol, to educate health professionals and the public on the drug, and to provide for certain longitudinal studies regarding individuals who have been exposed to the drug; to the Committee on Energy and Commerce.

By Mr. SMITH of Oregon:

H.R. 4179. A bill to establish a fund for the planning and preparation of salvage timber sales and subsequent reforestation activities on lands administered by the Bureau of Land Management; to the Committee on Interior and Insular Affairs.

By Mr. TALLON:

H.R. 4180. A bill to recognize the organization known as "Wildlife Action, Inc."; to the Committee on the Judiciary.

By Mr. WOLPE (for himself, Mr. MARKEY, Mr. RINALDO, and Mr. GALLO):

H.R. 4181. A bill to provide support to States which require and encourage utilities to provide process-oriented energy efficiency technology assistance to certain industries; to the Committee on Energy and Commerce.

By Mr. FAWELL:

H.R. 4182. A bill to reduce \$17,160,600,000 from appropriations for fiscal year 1992; to the Committee on Appropriations.

By Mr. HAMMERSCHMIDT:

H.R. 4183. A bill to amend the Wild and Scenic Rivers Act by designating certain rivers in the State of Arkansas as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NEAL of Massachusetts (for himself, Mr. EARLY, Mr. MOAKLEY, Mr. OLVER, Mr. DONNELLY, Mr. KENNEDY, Mr. MAVROULES, Mr. MARKEY, Mr. STUDDS, Mr. ATKINS, and Mr. FRANK of Massachusetts):

H.R. 4184. A bill to designate the Department of Veterans Affairs medical center located in Northampton, MA, as the "Edward P. Boland Department of Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs.

By Mr. OBEY (for himself, Mr. PASTOR, and Mr. RHODES):

H.R. 4185. A bill entitled, "The Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992"; to the Committee on Education and Labor.

By Mr. RAHALL (for himself and Mr. SHARP):

H.R. 4186. A bill to amend the Mineral Leasing Act to facilitate the development of coalbed methane gas; to the Committee on Interior and Insular Affairs.

By Mr. RIDGE:

H.R. 4187. A bill to amend the Internal Revenue Code of 1986 to encourage immediate investments in new manufacturing and other productive equipment by temporarily allowing an investment tax credit to taxpayers who increase the amount of such investments; to the Committee on Ways and Means.

By Mr. ROHRBACHER:

H.R. 4188. A bill to designate the Federal building located at 501 West Ocean Boulevard in Long Beach, CA, as the "Glenn M. Anderson Federal Building"; to the Committee on Public Works and Transportation.

By Mr. TRAFICANT:

H.R. 4189. A bill to transfer amounts appropriated for foreign aid to revenue sharing and education programs; jointly, to the Committees on Appropriations, Government Operations, Education and Labor, and Rules.

By Mr. WISE:

H.R. 4190. A bill to amend the Internal Revenue Code of 1986 to provide incentives for investors in oil and gas exploration; to the Committee on Ways and Means.

By Mr. DOOLITTLE:

H.J. Res. 404. Joint resolution designating the week of June 1 through June 7, 1992, as "National Polio Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. HAYES of Louisiana (for himself and Mr. TAUZIN):

H.J. Res. 405. Joint resolution proposing an amendment to the Constitution of the United States to protect cultural and linguistic rights; to the Committee on the Judiciary.

By Mrs. MEYERS of Kansas:

H.J. Res. 406. Joint resolution to designate the month of May 1992 as "National Huntington's Disease Awareness Month"; to the Committee on Post Office and Civil Service.

H.J. Res. 407. Joint resolution designating June 11, 1992, as "National Alcoholism and Drug Abuse Counselors Day"; to the Committee on Post Office and Civil Service.

By Mr. TRAFICANT (for himself and Mr. DYMALLY):

H.J. Res. 408. Joint resolution designating October 25, 1992, as "National Arab-American Day"; to the Committee on Post Office and Civil Service.

By Mr. TRAFICANT:

H.J. Res. 409. Joint resolution designating January 16, 1993, as "National Good Teen Day"; to the Committee on Post Office and Civil Service.

By Mr. DELLUMS:

H. Con. Res. 273. Concurrent resolution expressing the sense of the Congress regarding

the U.N. peace plan in the western Sahara; to the Committee on Foreign Affairs.

By Mr. MACHTLEY:

H. Con. Res. 274. Concurrent resolution expressing the sense of the Congress that any economic recovery or tax relief package enacted by the Congress should include a correction of the "notch" problem in Social Security benefits; to the Committee on Ways and Means.

By Mr. GEPHARDT:

H. Res. 340. Resolution directing the Committee on House Administration to investigate the operation and management of the Office of the Postmaster; considered and agreed to.

By Mr. LEWIS of California:

H. Res. 341. Resolution creating a Select Committee to Investigate Certain Allegations Concerning the House Post Office; which was laid on the table.

By Mr. McEWEN:

H. Res. 342. Resolution presenting a question of the privileges of the House; which was laid on the table.

By Mr. MOAKLEY (for himself and Mr. SOLOMON):

H. Res. 343. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Rules in the second session of the One Hundred Second Congress; to the Committee on House Administration.

By Mr. HOYER:

H. Res. 344. Resolution electing majority membership to standing committees of the House; considered and agreed to.

By Mr. MILLER of California:

H. Res. 345. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Interior and Insular Affairs in the second session of the One Hundred Second Congress; to the Committee on House Administration.

By Mr. POSHARD:

H. Res. 346. Resolution regarding the international trade policies and actions of the United States; to the Committee on Ways and Means.

By Mr. SANTORUM (for himself, Mr. BALLENGER, Mr. DORNAN of California, Mr. RIGGS, Mr. NUSSLE, Mr. LEWIS of Florida, Mr. CAMP, and Mr. OLIN):

H. Res. 347. Resolution limiting the mileage allowance rates for Members, officers, and employees of the House of Representatives to the rates generally applicable to Government employees; to the Committee on House Administration.

By Mrs. SCHROEDER:

H. Res. 348. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Select Committee on Children, Youth, and Families in the second session of the One Hundred Second Congress; to the Committee on House Administration.

By Mr. RANGEL:

H. Res. 349. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Select Committee on Narcotics Abuse and Control in the second session of the One Hundred Second Congress; to the Committee on House Administration.

By Mrs. UNSOELD (for herself, Mr. SIKORSKI, Mr. BOEHLERT, Mr. DEFAZIO, Ms. PELOSI, Mr. BEILSON, Mr. JONTZ, Mr. SANDERS, Mr. STUDDS, Mr. SWIFT, Mr. ATKINS, Mrs. BOXER, Mr. RAVENEL, Mr. MILLER of California, Mr. BERMAN, Mr. LEVINE of Califor-

nia, Mr. ABERCROMBIE, Mr. FRANK of Massachusetts, Mr. COOPER, Mr. AUCOIN, Mr. WAXMAN, Mr. WYDEN, Mr. MCHUGH, Mr. SCHEUER, Mr. MORAN, Mrs. MINK, Ms. SLAUGHTER, Mrs. SCHROEDER, Mr. KOPETSKI, Mr. SYNAR, Mr. TANNER, Mr. LEHMAN of Florida, Mr. WOLPE, Mr. OBERSTAR, Mr. DURBIN, Mr. SAXTON, Mr. KANJORSKI, Mr. OLVER, Mr. HUGHES, Mr. ZIMMER, Mr. PANETTA, Mr. GILCHREST, Mr. MILLER of Washington, Mr. WEISS, Mr. JOHNSTON of Florida, Mr. McNULTY, Mr. PALLONE, Ms. HORN, Mr. FAZIO, Mr. HOYER, Mrs. MORELLA, Mr. McMILLEN of Maryland, Mr. BONIOR, and Mr. SKAGGS):

H. Res. 350. Resolution urging the Administrator of the Environmental Protection Agency to accelerate the scheduled phaseout of ozone-destroying substances in the United States as required pursuant to the Clean Air Act Amendments of 1990; calling on the President to urge the contracting parties to the Montreal protocol to modify the protocol in order to accelerate the phaseout of such substances; and for other purposes based on scientific findings concerning the degradation of the stratospheric ozone layer; jointly, to the Committees on Energy and Commerce and Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. REED:

H.R. 4191. A bill to clear certain impediments to the licensing of the vessel *Southern Yankee* for employment in the coastwise trade of the United States; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 85: Mr. McNULTY.
H.R. 118: Mr. GUARINI, Mr. LENT, Mr. GILMAN, Mr. RIGGS, Mr. GALLEGLY, Mr. MOORHEAD, Mr. CAMPBELL of California, Mr. HERGER, Mr. DREIER of California, and Mr. ALEXANDER.

H.R. 123: Mr. BARNARD, Mr. JAMES, and Mr. LENT.

H.R. 394: Mr. ROHRBACHER, Mr. McMILLEN of Maryland, Ms. HORN, Mrs. LLOYD, Mr. DORGAN of North Dakota, Mr. FLAKE, Mr. PORTER, Mrs. UNSOELD, Mr. PETERSON of Minnesota, Mr. KOPETSKI, Ms. LONG, Mr. SWETT, Mr. OBERSTAR, Mr. CRAMER, Mr. BROWDER, Mr. SCHUMER, Mr. SIKORSKI, Mr. DURBIN, Mr. BACCHUS, Mr. ALEXANDER, Mr. WASHINGTON, Mr. ANDREWS of Maine, Mr. HOAGLAND, Mr. APPELGADE, Mr. CLEMENT, Mr. TAYLOR of North Carolina, Mr. BALLENGER, Mr. WHEAT, Mr. LAFALCE, Mr. LAROCOCO, Mr. THORNTON, and Mr. BROWN.

H.R. 489: Mr. DREIER of California.

H.R. 501: Mr. DYMALLY and Mr. MOLLOHAN.

H.R. 583: Mr. MURPHY.

H.R. 602: Mr. HUBBARD.

H.R. 643: Mr. PETERSON of Minnesota and Mr. COSTELLO.

H.R. 659: Mr. WOLPE.

H.R. 722: Mr. OWENS of New York, Mr. DOOLITTLE, and Mr. MFUME.

H.R. 723: Mr. OWENS of New York and Mr. MFUME.

H.R. 919: Mr. ROTH.

H.R. 951: Mr. PARKER, Mr. BAKER, and Mr. LAGOMARSINO.

H.R. 962: Mr. LANTOS.

H.R. 967: Mr. BROWN, Mr. TOWNS, and Mr. LANTOS.

H.R. 1004: Mr. RITTER.

H.R. 1145: Mr. ANDREWS of Maine, Mr. MARKEY, Mr. LEWIS of California, Mr. GILCHREST, Mr. TORRES, and Mr. OLVER.

H.R. 1218: Mr. DOWNEY.

H.R. 1330: Mr. SENSENBRENNER.

H.R. 1348: Mr. HALL of Texas, Mr. PENNY, and Mr. LENT.

H.R. 1439: Mr. SKEEN and Mr. SMITH of Oregon.

H.R. 1450: Mr. WISE and Mr. COBLE.

H.R. 1456: Mr. WYLIE.

H.R. 1473: Mr. SPENCE.

H.R. 1485: Mr. LOWERY of California, Mr. BURTON of Indiana, Mr. MARTIN, Mr. IRELAND, and Mr. KOLTER.

H.R. 1516: Mr. NEAL of North Carolina, Mr. SMITH of Oregon, and Mr. HUCKABY.

H.R. 1522: Mr. LEWIS of Georgia, Mr. MARTINEZ, Mrs. MORELLA, and Mr. SPENCE.

H.R. 1536: Mr. LIGHTFOOT and Mr. KOLTER.

H.R. 1546: Mr. JOHNSON of Texas and Mr. RAY.

H.R. 1547: Mr. PENNY, Mr. WILSON, and Mr. LEWIS of Florida.

H.R. 1570: Mr. LIVINGSTON, Mr. LEVINE of California, and Mr. SPENCE.

H.R. 1602: Mr. HAYES of Illinois.

H.R. 1733: Mr. FEIGHAN.

H.R. 1755: Mr. MCCANDLESS.

H.R. 1900: Mr. ENGEL.

H.R. 1992: Mr. ENGEL.

H.R. 2152: Mr. NEAL of Massachusetts, Mr. McMILLEN of Maryland, and Mr. YATES.

H.R. 2233: Mr. JOHNSON of South Dakota.

H.R. 2407: Mr. GUARINI, Mr. CAMPBELL of California, Mr. HOAGLAND, Mr. MOODY, Mr. CRAMER, Mr. ENGEL, Mr. COX of Illinois, Mr. RIGGS, and Mr. SPRATT.

H.R. 2492: Mrs. KENNELLY.

H.R. 2561: Mr. PETERSON of Minnesota.

H.R. 2590: Mr. ENGEL.

H.R. 2614: Mr. HENRY and Mr. SANDERS.

H.R. 2782: Mr. LEVINE of California, Mr. STARK, Mr. VISCLOSKEY, Mr. GAYDOS, and Mr. LAFALCE.

H.R. 2797: Mr. ANDREWS of New Jersey, Mr. APPELGADE, Mrs. BOXER, Mr. COX of California, Ms. DELAURO, Mr. DWYER of New Jersey, Mr. FASCELL, Mr. GILCHREST, Mr. HAYES of Illinois, Mr. MORAN, Mr. NEAL of Massachusetts, Mr. PETERSON of Minnesota, Mr. RANGEL, Mr. SAWYER, Mr. SKAGGS, Ms. WATERS, and Mr. WAXMAN.

H.R. 2830: Mr. CHANDLER.

H.R. 2854: Mr. SIKORSKI.

H.R. 2867: Mr. PAXON.

H.R. 2872: Mr. GRANDY.

H.R. 2945: Mr. TRAFICANT and Mr. UPTON.

H.R. 3112: Mr. DAVIS.

H.R. 3146: Mr. JOHNSON of Texas.

H.R. 3171: Mr. EMERSON.

H.R. 3198: Mr. ROTH, Mr. ESPY, Mr. KLECZKA, Mr. EMERSON, and Mr. MCGRATH.

H.R. 3217: Mr. RAMSTAD and Mr. PAXON.

H.R. 3250: Mr. RAY, Mr. FRANK of Massachusetts, Mr. GAYDOS, and Mr. POSHARD.

H.R. 3253: Mr. DORGAN of North Dakota and Mr. STAGGERS.

H.R. 3281: Mr. BROWN.

H.R. 3380: Mr. GINGRICH, Mr. COLEMAN of Missouri, and Mr. DAVIS.

H.R. 3413: Mr. WILSON.

H.R. 3438: Mr. DORNAN of California.

H.R. 3439: Mr. DORNAN of California.

H.R. 3440: Mr. DORNAN of California.

H.R. 3441: Mr. DORNAN of California.

H.R. 3442: Mr. DORNAN of California.

H.R. 3464: Mr. OWENS of New York.
H.R. 3493: Mr. CUNNINGHAM, Mr. FRANKS of Connecticut, Mr. BEREUTER, Mr. BILIRAKIS, Mr. RIGGS, Mr. PACKARD, Mr. BLILEY, Mr. NUSSLE, Mr. LENT, Mr. GILMAN, Mrs. MEYERS of Kansas, Mr. GALLEGLY, Mr. RHODES, Mr. SOLOMON, Mr. KLUG, and Mr. BOEHNER.

H.R. 3544: Mr. AUCCOIN, Mr. TORRES, Mr. WILSON, Mr. CLAY, Mr. FORD of Tennessee, Mr. DEFazio, Mr. DELLUMS, and Mr. REED.

H.R. 3553: Mr. WHEAT and Mrs. SCHROEDER.
H.R. 3557: Mr. DEFazio.

H.R. 3560: Mr. MAZZOLI, Mr. MURPHY, Mr. GORDON, and Mr. RAMSTAD.

H.R. 3561: Mr. SANTORUM, Ms. ROSELEHTINEN, Mr. HASTERT, Mr. SMITH of Texas, and Mr. LEWIS of Florida.

H.R. 3599: Mr. DANNEMEYER.

H.R. 3609: Mr. THOMAS of Wyoming.

H.R. 3654: Mr. ALLEN, Mr. BARRETT, Mr. BEREUTER, Mr. HOBSON, Mr. LIPINSKI, Mr. NICHOLS, Mr. SCHAEFER, Mr. SKEEN, Mr. TAYLOR of North Carolina, Mrs. VUCANOVICH, and Mr. WOLF.

H.R. 3726: Mr. MARTINEZ, Mr. EVANS, and Mr. PERKINS.

H.R. 3732: Mr. KOSTMAYER, Mr. JOHNSON of South Dakota, Mr. SWIFT, Mr. KILDEE, Mr. AUCCOIN, Mr. VENTO, Mr. MRAZEK, Mrs. COLLINS of Michigan, Mr. HAYES of Louisiana, Mr. FLAKE, Mr. ESPY, Mr. KANJORSKI, Mr. ROE, Mr. FORD of Michigan, Mr. FAZIO, Mr. BONIOR, Mr. MCCLOSKEY, Mr. WHITTEN, Mr. DINGELL, Mr. GONZALEZ, and Mr. REED.

H.R. 3741: Mr. MORAN, Mr. BEREUTER, Mr. SOLOMON, Mr. MONTGOMERY, Mr. ATKINS, Mr. HUGHES, Mr. CHAPMAN, and Ms. MOLINARI.

H.R. 3781: Mr. KLUG and Mr. PETERSON of Minnesota.

H.R. 3809: Mr. MFUME, Mr. RANGEL, Mr. KOLTER, Mr. DOWNEY, Mr. ROE, Mr. YATES, Mr. MILLER of Washington, Mr. PARKER, Mrs. MINK, and Mr. EVANS.

H.R. 3844: Mr. DELLUMS and Mr. HAYES of Illinois.

H.R. 3887: Mr. NUSSLE.

H.R. 3891: Mr. BOEHNER.

H.R. 3954: Mr. BARTON of Texas.

H.R. 3956: Mr. TORRES.

H.R. 3975: Mr. ANDREWS of Maine, Mr. MORAN, Mr. COSTELLO, and Mr. DWYER of New Jersey.

H.R. 3988: Mr. DAVIS.

H.R. 4016: Mr. DORGAN of North Dakota, Mr. HUGHES, and Mrs. LLOYD.

H.R. 4034: Mr. FEIGHAN, Mr. LEHMAN of Florida, Mr. MRAZEK, Mr. GILMAN, Mr. YATES, Mr. ACKERMAN, Mr. BEILSON, Mr. KLECZKA, Mr. FROST, Mr. SCHEUER, and Mr. MCNULTY.

H.R. 4045: Mr. BONIOR, Mr. FRANK of Massachusetts, Mr. WOLPE, and Mr. JONES of Georgia.

H.R. 4051: Mr. POSHARD and Mr. FORD of Michigan.

H.R. 4073: Mr. FUSTER, Mr. MFUME, Ms. OAKAR, Mr. SAVAGE, Mr. KANJORSKI, Mr. FLAKE, and Mr. FROST.

H.R. 4083: Mr. SARPALIUS, Mr. CHAPMAN, Mr. SAVAGE, Mr. FROST, Mr. ANNUNZIO, Mr. HALL of Texas, Mr. HEFNER, Mr. EDWARDS of Texas, and Mr. OWENS of New York.

H.R. 4089: Mr. MONTGOMERY, Mr. MCCURDY, Mr. GEJDENSON, Mr. ACKERMAN, Mr.

McMILLEN of Maryland, Mr. LENT, Mr. BACCHUS, Mr. LEWIS of Florida, Mr. KILDEE, Mr. MCNULTY, Mr. BILBRAY, Mr. HENRY, Mr. WALSH, and Mr. ESPY.

H.R. 4093: Mr. PENNY, Mr. HANSEN, Mr. EWING, Mr. HUCKABY, Mr. DANNEMEYER, and Mr. GILLMOR.

H.R. 4123: Mr. McMILLAN of North Carolina, Ms. SLAUGHTER and Mr. UPTON.

H.R. 4130: Mr. ARMEY, Mr. JOHNSON of Texas, Mr. ROBERTS, Mr. BOEHNER, Mr. SENSENBRENNER, Mr. ZIMMER, Mr. BURTON of Indiana, Mr. GALLEGLY, and Mr. PURSELL.

H.R. 4131: Mr. CHAPMAN, Mr. EDWARDS of Texas, Mr. LAUGHLIN, Mr. TALLON, and Mr. RAVENEL.

H.R. 4150: Mr. YOUNG of Alaska.

H.J. Res. 15: Mr. DICKINSON.

H.J. Res. 121: Mr. COYNE, Mr. LEWIS of Florida, Ms. LONG, Mr. GALLO, Mr. MONTGOMERY, Mr. BENNETT, Mr. BATEMAN, Mr. FLAKE, Mr. ANNUNZIO, Mr. DICKS, Mr. BROWDER, Mr. NEAL of Massachusetts, Mr. CLEMENT, Mr. STARK, Mr. GONZALEZ, Mr. VANDER JAGT, Mr. BEVILL, Mr. MCGRATH, Mr. MCCLOSKEY, Mr. TOWNS, Mr. YOUNG of Alaska, Mr. HORTON, Mr. STUMP, Mr. RIGGS, Mr. McMILLEN of Maryland, Mr. WALSH, Ms. OAKAR, Mr. ERDREICH, Mrs. COLLINS of Illinois, Mr. KOLTER, Mr. MCHUGH, Mr. EMERSON, Mr. HATCHER, Mr. THOMAS of Georgia, Mr. PURSELL, Mr. SHAYS, Mr. CAMP, Mr. LAFALCE, Mr. PARKER, Mr. YOUNG of Florida, Mr. NOWAK, Mr. QUILLEN, Mr. SKEEN, Mr. HARRIS, Mr. WILSON, Mr. SISISKY, Mr. PASTOR, Mr. YATES, Mr. HUGHES, Mr. JENKINS, Mr. RAHALL, Ms. SLAUGHTER, Mr. LEHMAN of Florida, Mr. DURBIN, Mr. HALL of Texas, Mrs. LLOYD, Mr. SABO, Mr. RANGEL, and Ms. PELOSI.

H.J. Res. 272: Mr. COMBEST, Mr. LEWIS of California, Mr. GONZALEZ, Mr. MARTIN, Mr. MCCLOSKEY, Mr. ANTHONY, Mr. HANSEN, Mr. YOUNG of Alaska, Mr. DICKINSON, Mr. ROTH, Mr. SHARP, Mr. CALLAHAN, Mr. WOLF, Mr. WYDEN, Mr. MOODY, Mr. ROWLAND, Mr. LANCASTER, Mr. HEFNER, Mr. COOPER, Mr. BATEMAN, Mr. CARPER, Mr. CLEMENT, Mr. OBERSTAR, Mr. BROWN, Mr. CRAMER, Mr. GINGRICH, Mr. PARKER, Mr. DAVIS, Mr. SLATTERY, Mr. JONES of North Carolina, Mr. CARDIN, Mr. VOLKMER, Mr. RAMSTAD, Mr. BILIRAKIS, Mrs. JOHNSON of Connecticut, Mr. DOOLITTLE, Mr. SISISKY, Mr. MCEWEN, Mr. HERGER, Mr. REGULA, Mr. PICKLE, Mr. CHANDLER, Mr. GALLO, Mr. BENNETT, Mr. HAYES of Illinois, Mr. PASTOR, Mr. ROBERTS, Mr. FAZIO, Mr. DINGELL, Mr. STUMP, Mr. PAYNE of New Jersey, Mr. VANDER JAGT, Mr. FALOMAVAEGA, Mr. HATCHER, Mr. COX of Illinois, Mr. FEIGHAN, Mr. HARRIS, Mr. FAWELL, Mr. CONDIT, Mr. ENGLISH, Mr. SKELTON, Mr. UPTON, Mr. PETRI, Mr. MORRISON, Mr. EDWARDS of Texas, Mr. SABO, Mr. SMITH of Oregon, Mr. STAGGERS, and Mr. LAGOMARSINO.

H.J. Res. 290: Mrs. SCHROEDER and Mr. NEAL of North Carolina.

H.J. Res. 318: Mr. SYNAR, Mr. MURPHY, Mr. SAWYER, Mr. YATRON, Mr. MCCREY, Mr. TOWNS, Mr. VANDER JAGT, Mr. BUNNING, Mr. HORTON, Mr. LEVIN of Michigan, Mr. PETERSON of Minnesota, Mr. OBERSTAR, Mr. FLAKE, Mr. STUDDS, Mr. LIVINGSTON, Mr. PAYNE of New Jersey, Ms. LONG, Mr. BILIRAKIS, Mr. THOMAS of Georgia, and Mr. BLAZ.

H.J. Res. 351: Mr. PENNY, Mr. SABO, Mr. KOLTER, and Mrs. UNSOELD.

H.J. Res. 369: Mr. BILIRAKIS, Mr. JOHNSON of South Dakota, Mr. BURTON of Indiana, Mr. FROST, Ms. NORTON, Mr. HOYER, Mr. KYL, Mr. DURBIN, Mr. FAZIO, Mr. PAYNE of Virginia, Mr. HALL of Texas, Ms. KAPTUR, Mr. MCGRATH, Mr. BACCHUS, Mr. SOLOMON, Mr. SUNDQUIST, Mr. JOHNSTON of Florida, and Mr. FIELDS.

H.J. Res. 378: Mr. KOPETSKI, Mr. FROST, and Mr. CARR.

H.J. Res. 385: Mr. HORTON, Mr. VENTO, Mr. MARTINEZ, Mr. HATCHER, Mr. MCGRATH, Mr. MORAN, Mr. CLEMENT, Mr. BATEMAN, Mr. CARDIN, Mr. HUNTER, and Mr. ROE.

H.J. Res. 390: Mr. SCHUMER, Mr. FRANK of Massachusetts, Mr. EVANS, Mr. ROE, Mr. HOYER, Mr. DAVIS, Mr. BLILEY, Mr. DE LUGO, Mr. DOWNEY, Mr. SCHIFF, Mr. CLEMENT, Mr. MOORHEAD, Mr. LEVINE of California, Mr. HENRY, Mr. DIXON, Mr. LAFALCE, Mr. WYLIE, Mr. PALLONE, Mr. GEKAS, Mr. MCDERMOTT, Mr. LEWIS of Florida, Mr. ACKERMAN, Mr. FORD of Tennessee, Mr. FAZIO, Mr. DE LA GARZA, Mr. BONIOR, Mr. PAYNE of New Jersey, Mrs. LOWEY of New York, Mr. GILLMOR, Mr. GUARINI, Mr. RANGEL, Mr. NUSSLE, Mr. FASCELL, Mr. SHAW, Mr. SERRANO, and Mr. ANDREWS of Maine.

H.J. Res. 392: Mr. SAVAGE, Mr. BACCHUS, Mr. NEAL of Massachusetts, Mr. BOEHLERT, Mr. HORTON, Mr. HEFNER, Mr. HOUGHTON, Mr. McMILLEN of Maryland, Mr. FUSTER, Mr. ABERCROMBIE, Mr. SKEEN, Mr. DOOLITTLE, Mr. CLEMENT, Mr. EMERSON, Mr. RAVENEL, and Mr. PARKER.

H.J. Res. 395: Mr. BATEMAN, Mr. ROE, Mr. WHEAT, Mr. SHAW, Mr. SANDERS, Mr. PORTER, Mr. SIKORSKI, and Mr. DINGELL.

H. Con. Res. 180: Mr. FRANK of Massachusetts.

H. Con. Res. 194: Mr. RIDGE and Mr. COX of California.

H. Con. Res. 205: Mr. STOKES.

H. Con. Res. 225: Ms. ROSELEHTINEN, Mr. HASTERT, Mr. RAMSTAD, Mr. SENSENBRENNER, Mr. SANTORUM, Mr. WOLF, Mr. BURTON of Indiana, Mr. SCHIFF, Mr. FAWELL, Mr. HEFLEY, and Mr. KLUG.

H. Res. 215: Mr. BOEHNER and Mr. KLUG.

H. Res. 314: Mr. PAXON.

H. Res. 322: Mrs. PATTERSON, Mr. KOSTMAYER, Mr. ACKERMAN, Mr. FEIGHAN, Mr. DANNEMEYER, Mr. GOSS, Mr. GUNDERSON, Mr. HYDE, Mr. RAMSTAD, Mr. SMITH of Florida, and Mr. SCHEUER.

H. Res. 323: Mr. DORGAN of North Dakota.

H. Res. 332: Mr. DOOLITTLE, Mr. WALKER, Mr. DUNCAN, Mr. BOEHNER, Mr. BALLENGER, Mr. SOLOMON, Mr. IRELAND, Mrs. JOHNSON of Connecticut, Mr. FAWELL, Mr. PAXON, Mr. SANDERS, and Mr. KLUG.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2824: Mrs. VUCANOVICH.